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AN
ADDRESS,
TO THE PEOPLE OF THE
UNITED STATES,
ON THE SUBJECT OF THE
PRESIDENTIAL ELECTION:

WITH A SPECIAL REFERENCE TO THE NOMINATION

OF

ANDREW JACKSON,

CONTAINING SKETCHES OF HIS PUBLIC AND
PRIVATE CHARACTER.



BY A CITIZEN OF THE UNITED STATES.

Courage may purchase Liberty, but Wisdom must perpetuate its duration.



PRINTED FOR THE PROPRIETOR.

1828.

1828. - 1828. 257

Northern District of New-York, to wit.

BE IT REMEMBERED, That on the twenty-sixth day of February, in the fifty-second year of the independence of the United States of America, Joseph Colwell, of the said district, hath deposited in this office the title of a book, the right whereof he claims as proprietor, in the words following:

"An address to the people of the United States, on the subject of the Presidential Election, with a special reference to the nomination of Andrew Jackson, containing sketches of his public and private character. By a citizen of the United States. Courage may purchase liberty, but wisdom must perpetuate its duration."

In conformity to the act of the Congress of the United States, entitled "An act for the encouragement of learning by securing the copies of maps, charts and books to the authors and proprietors of such copies, during the times therein mentioned, and also, to an act, entitled 'An act for the encouragement of learning, by securing the copies of maps, charts and books, to the authors and proprietors of such copies, during the times therein mentioned,' and extending the benefits thereof to the arts of designing, engraving, and etching, historical and other prints."

RICHARD R. LANSING,
Clerk of the Northern District of New-York

TO THE PEOPLE OF THE UNITED STATES.

In a great and powerful republic of confederated states, it is an object of great political importance, that the choice of their chief magistrate should be the result of wisdom, and of a pure and enlightened patriotism. The power necessarily appertinent to his office must give to him an ascendancy in the councils of the cabinet, which may characterize its policy and direct the course of its destinies. It will be in vain for us to calculate on the stability of our government, or the permanency of its privileges, where the projects of intrigue, cabal and corruption shall predominate in the choice of that officer. The lessons of history have furnished us with many demonstrations of this truth. From them we learn, that whatever of wisdom there may have been in the constitutional provisions for the appointment of their chief magistrates among the most celebrated republics of antiquity, the advantages they might have derived therefrom, were never long retained or enjoyed. Their misfortunes, and finally their ruin may be traced to the convulsions and revolutions occasioned by a few corrupt, ambitious and desperate individuals, combining their efforts for the avowed purpose of elevating or deposing those, who at different periods and in different forms, swayed the chief executive power. Although Americans may boast of their great acquisitions in the science of self government, they cannot, with confidence, indulge the belief, that theirs is the native soil where political virtue is destined to perpetuate the blessings of its existence. The history of our republic thus far has taught us that we shall have to maintain a perpetual vigilance to counteract the designs of unprincipled ambition. We have our Catalines and our Neros in embryo, from whose nefarious designs nothing can save us but the majesty of the laws and the virtue of the people. Unless the condition of the civil state, as well as the tendency of the human disposition are changed, we may expect there will for ever be a contest respecting the political character of the president and of his administration. Motives for such contests will not be wanting so long as men are ambitious, vindictive, and rapacious. However wise and impartial may have been the distribution of offices at the disposal of the president, though he should pursue measures which the best interest of the country seem to demand, and in every part of his administration, display the character of an enlightened, wise and independent magistrate; we are not to expect the dispositions of aspiring and unprincipled ambition, will thereby be transformed into those of wisdom, and virtue and moderation.

Political wisdom, integrity and distinguished patriotism, have not always been duly appreciated in the councils of our cabinet. It may be well to call to our recollection one attestation of this truth, contained in a letter written by president Washington to Mr. Jefferson, during the

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third year of the second term of his presidency, of which the following is an extract.

"Until the last year or two, I had no conception that parties would, or ever could go the lengths I have been witness to. Nor did I believe, until lately, that it was within the bounds of probability, hardly within those of possibility, that while I was using my utmost exertions, to establish a national character of our own, independent, as far as our obligations would admit, of every other nation of the earth; and wished, by steering a steady course to preserve this country from the horrors of a desolating war, I should be accused of being the enemy of one nation, and subject to the will of another. And to prove it, that every act of my administration would be tortured, and the grossest and most insidious misrepresentations of them be made by giving one side only of a subject, and that in such exaggerated terms, as could scarcely be applied to a Nero, to a defaulter, or to a common pick-pocket."

Here we have the testimony of as perfect a man as any of which the world could ever boast, respecting the opposition to his administration, and that too in the very infancy of our republic. When therefore an opposition is excited against the president, for reasons which are not generally understood, and for pretended evils, the existence or the approach of which the people neither feel nor apprehend, it is a duty which they owe to themselves, and to the honour and interest of their country, to investigate the causes of this opposition, and the object of those by whom it is assailed. It may ever be expected, there will be more than one candidate for the first office in the gift of the people; and the transcendent honors and privileges which appertain to it, will excite an interest which the people cannot but feel; and may stimulate to efforts which they should not encourage. In the complicated concerns of our extensive and powerful republic of confederated states, the operations of government require a great number of officers, who must depend on the patronage of the president for the acquisition and the tenure of their offices; these must be selected from the people, and it is very obvious that by far the greater number of applicants for places in the various departments, must be disappointed. Defeated expectations, in numerous instances, will generate disaffection to the administration; and opposition to it, and especially to the chief magistrate, who is supposed to have the most efficient agency in defeating their hopes, is one in the usual course of political events, and in accordance with the human disposition. In every district of our country, disappointed expectants of presidential patronage are to be found, who will exert themselves to excite disaffection and enlist the unsuspecting freemen under the banners of opposition; and actuated as they are by ambitious, vindictive and rapacious dispositions, it may be expected they will exert all their faculties to mislead the people, and engage them in their views of personal preferment.

It is therefore from the wisdom and integrity of those who are not expectants of office, who are not corrupted with the contaminating influence of power, nor duped by the insidious arts of intrigue, and the impostors of pretended patriotism, that we may expect a correct and

dignified decision of the important question, relative to the approaching election of a chief magistrate. Possessing equal means of information, and no interest in the event, but that which is common to their country, they would be well agreed, that to be properly qualified for that high office, the candidate should have a correct and extensive knowledge of the history of our political state; and that to enable him to regulate our intercourse with foreign nations, he should be conversant with the nature and policy of their governments, and the principles and complicated systems by which the course of their administration is directed; also with the general laws and maxims, which should govern the conduct of independent nations toward each other; that his discussions of national subjects should be distinguished for science, for candor and firmness. In short, that his experience in the concerns of civil government, and his capacity should be such, as to enable him to discern the great objects which relate to the interest of his country; and that he should evince a disposition steadfastly to pursue it, unawed and undisturbed, by the discordant and importunate clamors, and insidious pretences of disappointed expectants, and that a pure and dignified deportment should mark his habits and manners.

These qualifications, it is believed, are permanently exemplified in the character of Mr. Adams, the present chief magistrate. Through all the fluctuations of public opinion, and changes in the administration, occasioned by party dissensions or other causes, Mr. Adams has possessed the uninterrupted confidence of the public, and pursued an undeviating and dignified course, in discharging the duties of several highly responsible offices, both in our own and foreign countries. At an early period of his life, he was appointed by President Washington, in 1794, minister to the Hague; in 1796, minister to Lisbon. Before he entered on the duties of that office, he was, upon the strong and decided recommendation of President Washington, transferred by President Adams, to the court of Berlin, where he remained until 1801. When he returned to his own country in 1802, he was elected a member of the senate of Massachusetts. In 1803, he was elected a senator in Congress, which office he resigned in 1808. In 1809 he was nominated by President Jefferson, minister to Russia, but the senate decided that the mission at that time was inexpedient. In 1811, he was nominated by President Madison, for the same mission, and the senate confirmed the appointment. In the same year, after he left the country, he was appointed a Judge of the Supreme Court of the United States, but did not accept the appointment, and Judge Story was appointed. In 1813 he was appointed one of the commissioners to negotiate the treaty of peace with Great Britain, which was afterwards concluded at Ghent, in conjunction with Messrs. Gallatin, Bayard, Clay, and Russel. In 1815, he negotiated a treaty of commerce with Great Britain, in conjunction with Messrs. Gallatin and Clay, and was continued minister to that court until 1817, when he was appointed by President Monroe, Secretary of State, which last office he held until he was appointed to the office of Chief Magistrate.

The ability and fidelity with which he discharged the arduous duties of these several offices, has furnished the most ample attestations

of his merit, and that he has well deserved the confidence which has elevated him to the summit of his country's honors.

It is well known that immediately after the elevation of Mr. Adams to the Presidency, a party was organized in Congress, for the obvious purpose of uniting their efforts to alienate the confidence of the people from him, and his administration, and thereby defeating his re-election, and of promoting to that office some other candidate more agreeable to their views and interests. The people, therefore, should understand the object of those whose efforts are thus directed against him; and who have evinced a disposition to place in that office, Gen. Andrew Jackson. Although others have been nominated, and may hereafter be proposed as candidates for the Presidency, it is believed that the nomination of Gen. Jackson, has enstamped on the opposers of Mr. Adams, a character not ominous of good, nor honorable to the republic. The author of this paper would make no comments on the qualifications of other candidates than Gen. Jackson.

It is acknowledged that there are many others who might fill that office, with the approbation of the people, and honor to themselves. But when the opposers of Mr. Adams discovered among their number, those who were making efforts, with too much prospect of success, for a man like Gen. Jackson, it was hazarding too much, to contribute any thing which might tend to facilitate the election of a man both dangerous to our liberties, and dishonorable to the character of our country.

Since the man who was not extensively known to the people of the United States, until the eighth of January, 1815, has consented to be considered a candidate for the office of chief magistrate, he will doubtless expect that some prominent traits of his character, and incidents of his life, will be exhibited to public view; that the people, whose political interest and national character is to be affected by the administration, may be enabled to duly appreciate the qualifications of the man, who would be placed at the head of it.

It appears from the biography of Gen. Jackson, that in early life he commenced the practice of law in the state of Tennessee, was elected a member of the convention, and contributed a share in the formation of the constitution of that state; was afterwards elected a member of the Legislature, and from thence transferred to the senate of the United States; afterwards appointed a Judge of the Supreme Court of law and equity, and after giving up this last office, that he turned his attention to the military art, and rose to the rank of Major General of the militia.

In these several stations, it does not appear that he acquitted himself with more ability or celebrity than hundreds of others, who, in their respective states, have passed through the same grades of office, with honor to themselves, as it is said he did; no extraordinary trait had thus far so distinguished him, as to give him a claim to the first office in the gift of the people. He first became conspicuous throughout the Union by his military achievements in our last war with Great Britain. In this war he distinguished himself as a brave man. In his military conduct, he evinced a capacity, and a disposition to engage

in those arduous and desperate enterprizes which are often necessary to the safety and independence of a government. In that war he acquired the fame that is due to the Hero, and which often confers upon him durable glory.

But the military achievements of any man, however splendid may have been the efforts which have marked their cause, should never give to their author, any claim to the first office among the civil magistrates of his country. It was not the military exploits alone, even of the immortal Washington, which gave to him a pre-eminent claim to the first civil honors. He was distinguished for those rare and peculiar characteristics which qualified him to adorn and bless society, either in private or public stations; and by his unparalleled efforts in the acquisition of our independence, was well entitled to all the honors which his country could confer. The advocates for Gen. Jackson, cannot pretend that in the performance of the various civil offices which he has filled, he ever evinced those extraordinary qualities which should distinguish a candidate for the office of chief magistrate. It is unfortunate for him, that the military achievements which first gave general celebrity to his character, gave publicity also, to his vices and errors; and over which the veil that covers human infirmities might have been thrown, had not an effort been made to intrude him into a place, for which, in the destinies of our republic, he could never have been designed. Gen. Jackson is highly reputed, by his political advocates, for decision of character, which is considered an important qualification in the character of a chief magistrate. But it should be remarked, the decision requisite for that office, should be preceded by cool, candid, and judicious deliberation. It has, however, been discovered, that Gen. Jackson decides from the impulse of the moment, rashly, and without consideration; that his decision of character, arises from an impetuous temper, which always exposes one who is exercised with it, to make incorrect and unjust decisions; and which not only exposes him, but has often impelled him to the commission of errors, and even of crimes, which should disqualify him for any important civil office, and even from all confidence, which a sense of moral obligation should inspire. That from the irritability of his constitution, and an untoward disposition, he does not control the first impulse of his temper, but has indulged it in repeated acts of violence, in defiance of the laws of his country, and against the dictates of humanity. Abundant attestations of this fact are before the public.

Col. Benton has attested, that in the year 1812, Gen. Jackson, with some of his friends, came to the house in Nashville, where he was, and commenced an attack upon him, by levelling a pistol at him, when he had no weapon of defence drawn, and advanced upon him with a quick pace, without giving him time to draw one; that an affray thereupon commenced between him and Gen. Jackson, and their respective friends, in which several pistols were discharged, one by Gen. Jackson at him, Col. Benton, whose life he obviously intended to destroy, and from which he was probably prevented, by being disabled by a pistol shot from Col. Benton's brother. It is not thought necessary

to detail all the particular facts relating to this horrible outrage, as stated by Col. Benton, but only to attest the fact, that Gen. Jackson is governed by an impetuous temper, which renders him a dangerous man, even in private life, and that the people may be enabled duly to appreciate his decision of character, so much extolled by his advocates. But it was in the exercise of military power, and administration of martial law, that he, while reaping the laurels of heroic fame, exhibited to view a political character which should forever exclude him from the confidence of a wise people.

It appears from the following account that Gen. Jackson, from his entire dereliction of principle, which should govern the conduct of men in the civil state, cannot be intrusted with any power, either civil or military. It is well known, that in our last war with Great Britain, in the year 1814, a detachment of Tennessee militia was drafted by order of Governor Blount, who arrived at their place of rendezvous on the 20th of June, the same year. The privates were told by their officers, a Captain and Lieutenant, that by the existing laws of their own state, as well as of the United States, they could only be compelled to serve for three months. Supposing therefore their tour of duty was completed, on the 20th of the then next September, upwards of two hundred of them delivered up their muskets, drew their rations, and set out for home. But having received advice on their way, that they were wrong in supposing their time of service had expired, they were honestly returning to their encampment, when by order of Gen. Jackson, they were arrested, charged with mutiny, and brought to trial before a court martial.

The officers by whose advice the men had acted, and who were convicted of having excited and connived at the mutiny charged, were simply dismissed from the service; about two hundred others were sentenced to make good the time they had lost, and at the expiration of their service, to have their heads shaved, and to be drummed out of camp; and six were condemned to suffer death. These sentences could not be operative without the sanction of Gen. Jackson, but that sanction was given by him on the 22d of January, 1815, and carried into effect. But the fact is well ascertained, that the men thus sentenced and punished by order of Gen. Jackson, did not mis-conceive their rights, when they left the army at the end of their three months. The law of 1795, limits the term of military duty, to a period of three months. The law of the 10th of April, 1812, by which the term of service was extended to six months, expired by its own provisions, on the 10th of April, 1814. The men in question were detailed for duty after the expiration of this law, namely in May, 1814. Every subsequent draft could be held to serve only for three months, unless under the provisions of a law, passed on the 18th of April, 1814, the President of the United States should expressly order a continuance of the term; and such an order in this case has not been pretended. On the contrary, the President of the United States, expressly directed Governor Blount to consider his draft of militia as called out under the law of 1795, and gives as his reason for so doing, his reliance on the patriotism of the citizens of Tennessee, to fill up the ranks as occasion might require.

Thus it appears, that while Gen. Jackson was achieving the military glory which his political advocates would contend has entitled him to the first civil honors of his country, he has been proved to have condemned six men to death, and nearly two hundred others to an ignominious punishment, not only against the plainest dictates of mercy and humanity, but in direct violation of the laws of his country!

It will be understood by the American people, that the administration of martial law, is to be resorted to, only in extraordinary circumstances, when the public safety requires it. On the 22d of January, 1815, all danger from the invasion of New-Orleans by the enemy, was at an end. The signal victory obtained over them, was on the 8th of the same January; and in a letter to the Secretary at War, dated the 19th of January, three days before he gave his sanction to the sentence of those unfortunate men, he expressly declares that all danger from an invading enemy, in that part of the country, was at an end; or, to use his own words, "I believe you will not believe me too sanguine in the belief, that Louisiana is now clear of its enemies." Had those men, therefore, whom he sentenced to an ignominious punishment, and to death, actually been guilty, according to the usages of war, and the principles which should govern those who are clothed with authority, it was his imperious duty to have pardoned them. The reason of the severities of the martial law, had ceased; the operations of the law should therefore have ceased, and its penalties should have been dispensed with. Had he exercised a small portion of that deliberative wisdom, which should distinguish a man in any important office, either civil or military, he might have avoided the imputation of having thus trampled upon the laws of his country and of humanity.

During the revolutionary war, of eight years continuance, it is well known that our country had every where scattered over its extensive territory, those who were unfriendly to the American cause, and were disposed to render the enemies of our country every possible aid; and during that war hundreds of our militia men, left the camp, and returned home before the time for which they had been drafted had expired; and in some instances, in the very face of the enemy; yet the great and gallant Washington, whose name has been too often profaned, by using it in connection with Gen. Jackson's, never once proclaimed martial law; neither was a militiaman ever shot by his order.

The conduct of Gen. Jackson, in the condemnation and execution of Aburthnot and Ambrister, was also highly characteristic of the tyrant. They were tried for an alleged crime, by a court martial, instituted by him for that purpose, and by that court convicted and sentenced to a punishment not capital. Gen. Jackson in contempt of the proceedings of the court and the sentence they had thought proper to pass, immediately ordered the accused to be punished with death, which was by his order inflicted, on the morning of the next day.

The martial law, according to the usages of war among civilized nations, cannot, consistently with the rights of men in a free republic like ours, be enforced, until those who are accused of having incurred its penalties, are first found guilty by the sentence of a court, con-

sisting of officers appointed by the commander-in-chief; who are also to affix to the conviction, the punishment to be inflicted. This sentence he may affirm, or he may refuse to affirm it, and in that case, the sentence cannot be enforced. But if he disregards the sentence of the court, and passes on the accused a different one, he thereby renders himself a tyrant, and evinces a disposition not to be governed by any law, except his own despotic will. It may be true, that Ambrister and Aburthnot well deserved the punishment of death; but it is very obvious that Gen. Jackson inflicted that punishment, without any right vested in him, either by virtue of his military commission, or the laws of his country.

His conduct towards the French Consul, and the French Aliens, then resident at New-Orleans, not only exceeded his power as a military chief, but was in direct violation of the law of nations. Chevalier Tousard, the French Consul, had furnished a portion of the French residents at New-Orleans with certificates of French citizenship, which exempted them from military duty, and which exemption they had a right to claim, according to the law of nations. These certificates Gen. Jackson could not disapprove, but under the colour of martial law, he banished those who had thus obtained them, to a place called Baton Rouge, 120 miles from New-Orleans, in the interior, and arrested and imprisoned Tousard the Consul, for no other offence but that of claiming an exemption from military duty, for the French aliens; to do which, he had not only a right, but was impelled in the discharge of his official duty. But the person of an ambassador or other public minister, authorised and received as such, by the President of the United States, is not liable to arrest or imprisonment, but is exempted therefrom, both by the law of nations, and by a law of the United States. If he even commits a capital offence, or makes an ill use of his character, he may be sent home, and accused by the government who sent him, which is bound to do justice to him, or avows itself the accomplice of his crime.

About the same time these extraordinary measures were prosecuting, a member of the Legislature, by the name of Lauaillier, had published in a New-Orleans Gazette, an article of which Gen. Jackson did not approve;* he therefore immediately ordered him to be ar-

*The article alluded to, contains some strictures on the conduct of Gen. Jackson in banishing the French aliens from New-Orleans, published in a paper called the "Louisiana Courier." The following is a copy of the article for which Lauaillier was tried by a court martial by Gen. Jackson's order.

"MR. EDITOR—To remain silent on the last general order, directing all the Frenchmen who now reside in New-Orleans, to leave it in three days, and to keep at a distance of 120 miles of it, would be an act of cowardice, which ought not to be expected from a citizen of a free country; and when every one laments such an abuse of authority, the press ought to denounce it to the people.

In order to encourage a communication between both countries, the 7th and 8th articles of the treaty of cession, secure to the French, who shall come to Louisiana, certain commercial advantages which they are to enjoy during the term of twelve years, which are not yet expired. At the expiration of that term, they shall be treated in the same manner, as the most favored nation—a peace which nothing is likely to disturb. The French have, until this moment, been treated in the United States with that regard which a great people deserves and requires, even in its reverses; and with that good will which so eminently distinguishes the American government in its relation with foreign nations.

rested and confined, and to be tried as for a capital offence; whereupon Lauvillier by his counsel made application to Dominic A. Hall, Judge of the district, for a writ of Habeas-Corpus for his enlargement. The writ was immediately issued by the Judge, directed to Gen. Jackson, commanding him to show reasons for the detention of this legislator. The Marshal who served the writ, gave it to Gen. Jackson for his perusal, at his request, who refused to redeliver it to the Marshal. But instead of obeying the command of the writ, and appearing before the court to make his defence, he immediately ordered the Judge to be arrested, for issuing the writ of Habeas-Corpus, and sent out of the city.

It should be remarked for the information of those who are not learned in the law, that the writ of Habeas-Corpus is a privilege of the citizen, demandable of common right, by any person who is imprisoned, whether under color of authority, or without it, unless the imprisonment be on execution, or on conviction of some crime. It is directed to the person who has the custody of the prisoner, or complainant, with a command to bring him before the court with the cause of his detention. When the person imprisoned is brought before the court with a return of the cause of his detention, it is the duty of the court to examine whether the cause be illegal; and if so found, may discharge him, or otherwise remand him to prison. This writ is of great importance, in securing the personal liberty of the citizens; and the right to suspend the issuing it, can only be vested in the highest legislative authority in the government.

In such circumstances, what can be the motives which have induced the commander-in-chief of the 7th military district, to issue general orders of so vexatious a nature? When the foreigners of every nation, when the Spaniards, and even the English are suffered to remain unmolested among us, shall the French alone be condemned to ostracism, because they rendered too great services? Had they remained gentle spectators of the last events, could their sentiments towards us be doubted, then we might merely be surprized at the course now followed with regard to them. But how are we to refrain our indignation when we remember that these very Frenchmen, who are now to be exiled have so powerfully contributed to the preservation of Louisiana, without speaking of the corps who so eminently distinguished themselves, and in which we see a number of Frenchmen, rank either as officers or privates; how can we forget that they were French artillerymen who directed and served a part of those pieces of cannon which so greatly annoyed the British forces? can any one flatter himself that so important services could have so soon been forgotten? No: they are engraved in everlasting characters, in the hearts of all the inhabitants of Louisiana, and they shall perform a brilliant part in the history of their country; and when those brave men ask no other reward, but being permitted peaceably to enjoy among us the rights secured to them by treaties, and the laws of America, far from sharing in the sentiments which have dictated the general order, we avail ourselves of this opportunity to give them a public testimony of our gratitude. Far from us the idea that there be a single Frenchman so pusillanimous as to forsake his country merely to please the military commander of this district, and in order to avoid the proscription to which he has chosen to condemn them; we may therefore expect to see them all repair to the Consul of their nation, there to renew the act which binds them to their country; but in supposing that in yielding to a sentiment of fear, they consent to cease to be French citizens, could they by such an abjuration, become American citizens? No, certainly they could not; the man who would be powerful enough to denationalize them, would not be powerful enough to give them a country. It is better, therefore, for a man to remain a faithful Frenchman, than to suffer himself to be scared even by the martial law; a law useless when the presence of the foe and honor call us to arms; but which becomes degrading when their shameful flight suffer us to enjoy a glorious rest, which fear and terror ought not to disturb. But could it be possible that the

In the case of Lauaillier, Judge Hall could not be justified in suspending the issuing of the writ of Habeas Corpus, without being authorised so to do, by a law of Congress for that express purpose. Without such a law, the President of the United States could not suspend the issuing of such a writ, when it was demanded; and Congress never have, and probably never will make a law so repugnant to the constitution. Yet Judge Hall was arrested by Gen. Jackson and committed to custody, for no other offence, whatever, but the issuing of this writ to effect the release of Lauaillier from an illegal imprisonment. An application was then made by a Mr. Dick, the district attorney, at the request of Judge Hall, for a writ of Habeas-Corpus, to effect his, Judge Hall's, liberation, and Gen. Jackson immediately arrested Mr. Dick, for making the application, and delivered to an officer an order to arrest Judge Lewis for granting the writ!!!

According to the usages and articles of war, whenever a military chief has evidence that any one under his command is guilty of mutinous or traitorous conduct, or disobedience of orders, he may inflict

constitution and the laws of our country should have left it in the power of the several commanders of military districts, to dissolve all at once the ties of friendship which unite America to the nations of Europe; could it be possible that peace or war could depend upon their caprice and the friendship or enmity they might entertain for any nation? We do not hesitate in declaring, that nothing of the kind exists. The President alone has, by law, the right to adopt against alien enemies, such measures as the state of war may render necessary; and for that purpose he must issue a proclamation; but this is a power which he cannot delegate. It is by virtue of that law and of a proclamation, that the subjects of Great Britain were removed from our ports and sea shores. But we do not know any law authorizing Gen. Jackson to apply to alien friends a measure which the President of the United States himself has only the right to adopt against alien enemies.

Our laws protect strangers who come to reside among us. To the sovereign alone, belongs the right of depriving them of that protection; and all those who know how to appreciate the title of an American citizen and who are acquainted with their prerogatives, will easily understand that by the Sovereign, I do by no means intend to designate a Major General or any other military commander, to whom I willingly grant the power of issuing general orders like the one in question, but to whom I deny that of having them executed.

If the last general order has no other object but to inspire in us a salutary fear, if it is only destined to be read, if it is not to be followed by any act of violence, if it is only to be executed by those who may choose to leave the city in order to enjoy the pure air of the country, we shall forget that extraordinary order; but should any thing else happen, we are of opinion that the tribunals shall, sooner or later, do justice to the victims of that illegal order. Every alien friend who shall continue to respect the laws which rule our country, shall continue to be entitled to their protection. Could that general order be applied to us, we should calmly wait until we were forced by violence to execute it, well convinced of the firmness of the magistrates, who are the organs of the laws in this part of the union, and the guardians of public order.

Let us conclude by saying, it is high time the laws should resume their empire, that the citizens of this state should return to the full enjoyment of their rights; that in acknowledging we are indebted to Gen. Jackson for the preservation of our city, and the defeat of the British, we do not feel much inclined through gratitude, to sacrifice any of our privileges, and less than any other, that of expressing our opinion about the acts of his administration; that it is time the citizens, accused of any crime, should be rendered to their natural judges, and were to be brought before special or military tribunals, a kind of institutions held in abhorrence, even in absolute governments; and that after having done enough for glory; the moment of moderation has arrived; and finally that the acts of authority which the invasion of our country and our safety may have rendered necessary, are since the evacuation of it by the enemy, no longer compatible with our dignity and our oath of making the constitution respected.

upon him a punishment proportioned to the offence, without proclaiming martial law. That is necessary only when it is intended to extend its jurisdiction over the civil rights of the citizens; to suspend the operations of the legislative and judiciary departments of the government, and to subject the people to the regulations and discipline of the camp. This was evidently the object of Gen. Jackson. He told Major Claiborn, that while martial law existed, no one should be above him. But in the republic of the United States, or indeed in any other government which is not purely military, the jurisdiction of martial law cannot be extended to those who are not actually in military service, and under the command of a military chief.

By the 7th article of the amendments, now a part of the constitution of the United States, it is provided that no person shall be held to answer for a capital or otherwise infamous offence, unless on a presentation or indictment of a grand jury, except in cases arising in the land or naval forces, or in the militia when in actual service in time of war, or public danger, and by the same article it is also provided that no person shall be deprived of life, liberty, or property, without due course of law.

It was never intended by the constitution, to give to any military chief discretionary power to interfere with the civil rights of the people. That this was not the view that Congress had of the extent of military power, is obvious from an act of Congress, passed the 10th day of April, 1806; thereby it is enacted, that in time of war, all persons not citizens of, or owing allegiance to the United States of America, who shall be found lurking as spies, in or about the fortifications or encampments of the armies of the United States, or any of them, shall suffer death according to the law and usages of nations, by sentence of a general court martial. It is very obvious it was ever considered by Congress that the constitution of the United States, had excluded any and every military chief from extending the jurisdiction of martial law to any person whatever, who was not in actual service, unless such persons were designated by a law enacted for that express purpose; and by this act it appears the persons designated are not only aliens not owing allegiance to the United States, but who are to be identified as spies, and when found guilty, the law affixes the punishment of death. It was under the pretended authority of this law, that Gen. Jackson sent the French aliens to Baton Rouge, without conviction of guilt, and without a trial. No description of persons could be considered more amenable to the jurisdiction of a court martial, than alien spies, and yet it was thought necessary by Congress, to pass a special act for the purpose of authorising their trial and conviction by a court martial.

It appears then, that in the face of our government, and in the midst of a people who admit no power above the laws, an individual has been permitted with impunity, under the color of military authority, to sport with the lives and liberties of our citizens.

There may be circumstances attending the events of war, in which the public danger might be so alarming as to justify a military commander in a momentary sacrifice of the civil rights of individuals;

when the preservation of the country might require it. But in such extreme exigencies, the necessity of resorting to extraordinary measures, should be such as to admit of the clearest demonstration. From pretended apprehensions, that such danger is approaching, or to guard against what might be considered well founded suspicions, it was never intended by the constitution or the policy of our government, that a military chief, in time of war, may at his discretion, put down the civil administration, by a proclamation of martial law.

By referring to the dates of events attending his administration of martial law, it will appear that any of the violations of the rights of the citizens he committed under the color of that law, could not have been dictated by a sense of public danger ; that the public safety did not require them.

It is well known that the proclamation of martial law was made on the 15th of December, 1814 ; and the celebrated victory, as has been remarked, was on the 8th of January following. The articles of peace were signed at Ghent, on the 24th of December, 1814, and ratified by the president of the United States, on the 17th of the February next following.

It has been already shown, that on the 22d of January, 1815, when he inflicted the punishment of death on the six militiamen, and an ignominious punishment on about two hundred others, it could not, as his friends have urged, be considered a necessary measure of defence against the enemy, dictated by a sense of danger, since he, on the 19th of January, had written to the Secretary of war, that at that time Louisiana was clear of its enemies.

On the 7th of the March next following, he received conclusive evidence from the seat of government, that peace was ratified between the United States and Great Britain. But Lauaillier, on the 4th of the same month, when he was a member of the Legislature, was, by order of Gen. Jackson, arrested, imprisoned, and ordered for trial by his court martial. On the 11th of the same month, Judge Hall was arrested and sent out of the city, and kept in custody, for issuing the writ of Habeas-Corpus, which has been mentioned, for the release of Lauaillier. The order for the removal of the French aliens, and the imprisonment of the French Consul which has been mentioned, was made on the 28th of January, 1815, nine days after the enemy were gone. The French aliens were not permitted to return to New-Orleans, until the 8th of March, nineteen days after the ratification of the treaty by the president ; and the French Consul was not discharged until the 13th of March. Tousard was the friend of La Fayette, and was maimed in our revolutionary war.

Immediately after the 11th of the same March, Mr. Dick, the district attorney, was arrested and imprisoned for making application to Judge Lewis for a writ of Habeas-Corpus, for the relief of Judge Hall, and an order also was by order of Gen. Jackson delivered to an officer for the arrest of Judge Lewis, for issuing the writ. It is not known by the author of these remarks, that Judge Lewis was arrested on this last order. The officer who received the order might have been deterred from contributing his aid to such ille-

gal and disgraceful proceedings, or might not have had an opportunity to have executed the order before the 13th of March, after which time Gen. Jackson could no longer conceal the fact that peace had taken place, and was therefore, on that day, forced to the necessity of publishing the news of peace, and revoking his order for the proclamation of martial law. I have said that he was forced to this measure, because it appears from the whole course of his administration of that law, he exhibited such a predominant disposition to make a wanton and supercilious display of his military power over the civil rights of the citizens, and that too after the reasons which he had himself assigned for the order of martial law had ceased; he must with reluctance have parted with that power, especially when he had just reason to expect that when he could no longer be protected in his mad career by the event of war, he should have to surrender himself to the justice of an indignant, insulted, and abused people; and the people of the United States have cause to exult in the recollection, that one magistrate has been found, who hastened to wipe away the stain upon our national honor, and to avenge the insulted dignity of the laws of the republic. The Hon. Judge Hall, being released from his imprisonment by the proclamation of peace, which was made on the 13th of March, issued his warrant for the arrest of Gen. Jackson, on the 31st of the same month, whereupon he was brought before the court, in which Judge Hall presided, and was put upon his trial, on a charge, that while the Judge of the United States was exercising one of the most important functions of his office, he was imprisoned, by order of the General, that the process of the court was treated with disrespect, that the officers of the court were menaced, and finally, that by threats and violence, the course of justice was obstructed. After having heard his defence, the Judge imposed on him a fine of one thousand dollars.

The government of the United States, from extreme indulgence, in consideration of his energetic and heroic achievements in defending his country, have hitherto spared him from that punishment, which, by the violated laws of his country, they might in justice have inflicted.

It was indeed an unfortunate event, when only thirty-eight years of our existence as free and independent states, had elapsed, our government was impelled by imperious circumstances, either to inflict an exemplary punishment on a military chief who by his brave achievements, had rendered important services to his country, or permit an individual with impunity, wantonly to violate the fundamental principles of the constitution and laws of the republic. To inflict the punishment, might incur, however unjustly, the imputation of ingratitude from an important and essential department of the government. To acquiesce in his guilt, would be establishing a precedent, which in some future period, might encourage an exertion of military power, that in case of a long protracted war, might prove fatal to liberty. The evils resulting from this dilemma of circumstances, might in some degree have been alleviated, by the oblivion of their author.

But since it is proposed by a few individuals, to elevate him from the infamy to which his vices and his crimes had assigned him, to the

first office in the government, he must be brought before the tribunal of public opinion for his trial, and it is believed the people will do him that justice, from which his advocates have intended to screen him.

Enough has already been exhibited, respecting the public character of Gen. Jackson, to exclude him forever from the confidence of the people. No one, whose mind is not blinded by passion, or prejudice, or interest, can believe that a sense of patriotism, of expediency, or even of mistaken policy, could have been the cause of the vices, the errors, and the crimes, of which he was guilty, in the discharge of his official duties. From the very texture of his constitution, as well as from pernicious habits, and manners, and principles, contracted in early life, he has been formed for a tyrant, and the sword of a military despot, is the sceptre he would wield.

In his private conduct and intercourse with his fellow men, he has exhibited an impetuous and ungovernable temper; a savage and dangerous disposition.

His conduct in the Seminole war, identified his character with that of his savage foes; yet because Mr. senator Eppes and Lâcock dared to make some appropriate strictures in relation to it, he threatened to drag the former from his seat, and threatened personal violence to the latter.

Under the delusive guise of chivalric honor, he has from his youth been in the habit of indulging his malignant temper in acts of violence. The details of the numerous instances in which he has entered the field of private combat, and the suffering and misery he has thereby occasioned to the victims of his vengeance, and their surviving relatives, would be revolting to humanity. His affair of honor with Charles Dickerson, is enough to furnish a striking specimen of the depravity and meanness of his private character.

It appears that in the summer of 1806, Gen. Jackson offered to bet five thousand dollars with Charles Dickerson, that his (the General's) horse would beat Dickerson's in running the four mile heats; which offer was accepted. Dickerson's rider said he lost the race by foul play; and that Gen. Jackson's rider jostled him near the close of the last round. Gen. Jackson, on hearing this charge, said he would hold any man responsible who dared to accuse his rider with foul play; whereupon a quarrel arose between them, which ended in Gen. Jackson's sending Dickerson a challenge, which was accepted. The formalities attending this combat have been differently detailed; but the result was, that he killed Dickerson under circumstances shocking to humanity.

Gen. Jackson, in his correspondence with President Monroe, expressed it as having been his opinion, "that Madison was unfit for a president, because he could not look on bloodshed and carnage with composure." It will be acknowledged, that Gen. Jackson is not deficient in this qualification, but can look on such scenes not only with composure, but with complacency; war is the element in which he is destined to move; it is there he might render his country important services, would he subject his disposition to the control of the civil

power; and there he might acquire for himself the splendid honors which are due only to the hero. But he most clearly evinced a resolution not to submit to civil authority, so long as martial law could enable him to resist it. This is attested by his declaration to governor Claiborne, that while martial law continued, no man should be above him; and he never, on any occasion, evinced an inclination or intention of revoking his order for the administration of this law, in any circumstances, until the termination of the war. If he had not a strong predilection for a military government, and to rule, himself as the chief executive officer in its administration, why did he actually extend the jurisdiction of that law over the civil rights of the people? Why did he suspend the legislative and judiciary power of government by the operations of that law? His only answer has been, that the severities of martial law, were necessary measures to aid him in his defence against the common enemy, by checking and controlling the mutinous and traitorous dispositions, which were discoverable among the citizens of New-Orleans. But such dispositions could not be discoverable without some evidence arising from some overt act; mere suspicions without evidence of guilt, could never justify either a civil or military magistrate, in controlling for a moment, the right of the personal liberty of any one, whether soldier or citizen; and if Gen. Jackson had evidence of such guilt, why did he not avail himself of it, and arrest and punish some one who might be guilty of mutiny, or treachery, or treason? He evidently discovered no aversion for inflicting punishment; on the contrary, it appears he had a keen relish for that business!

His appetite for inflicting punishment must have been voracious indeed, when it excited him to punish three hundred of our own citizens in fifty-three days, not one of whom had incurred the penalty of any law or usage, or article of war,—and that, too, after all danger from the public enemies of our country, had ceased.

Why then, since this brave general, this faithful servant of the republic, who was so scrupulously diligent, in detecting enemies, and searching out the victims of guilt, and subjects of punishment; why did he not in some one instance, discover satisfactory evidence of the guilt of an individual, on whom he might have inflicted an exemplary punishment, and thereby furnished some evidence to the public, that the reason he had assigned, for his justification in proclaiming martial law had some foundation in truth?

If mutiny, and treachery, and treason, of which he so much complained, had in reality existed, and that too, to that alarming extent he had represented, some overt act of its authors, in some circumstance, must have exposed their guilt. But it is believed there never was any evidence of that dangerous disposition among the citizens of New-Orleans, that in a single instance could justify a conviction of guilt. It has been clearly demonstrated that the punishments inflicted by Gen. Jackson, under the authority of martial law, which were very numerous,* were on those who incurred no guilt, and by no law but the dictates of his will.

* The whole number of persons who were punished, either by death, imprisonment, or an ignominious punishment, during only 53 days, and after Louisiana was clear of its enemies, was more than three hundred!!!

The perpetuity of republican privileges will depend on the character of those who administer the government. It will be in vain for us to boast of our free constitution, and a government of laws, if we will clothe men with authority, who are disposed to violate the constitution, and withhold from the people the protection of the laws at their will. There is no remedy for the evils which might result from the political conduct of men, who should be disposed to substitute their will for law, but in the exertion of physical force, and when the government might be impelled to resort to this remedy without success, there would be an end to republican liberty; and if such remedy succeeds, we could not expect that those who were made to regard the law only from compulsion, would be kept in subjection to it, by any other means. In either event, therefore, a government allied to a military despotism, if not absolutely such, must be the result.

Such events have hitherto sealed the fate of fallen republics; and the approach of such events may be apprehended, when a despotic military chief shall gain possession of the first executive office in the republic, whether he forces his way to it, or it is procured for him by the arts of cabal and intrigue, or the influence of corruption.

It was a knowledge of the history of political events, and of the character of Gen. Jackson, as it had been exhibited in his military administration during the last war, that must have impressed the mind of Mr. Jefferson, late President of the United States, when he expressed the opinion, "that the run which Gen. Jackson had at the election, was an evidence that the republic would not stand long;" and which induced him to remark, that "during a long life, he had attentively watched the progress of political events in the United States, with a particular view of satisfying his mind, that mankind were competent to self government, to believe which his principles inclined him; and that during his whole political observation, the disposition of the American people to elect Gen. Jackson president, was the single circumstance which had shaken his faith, and made him fear that the American republic was soon to follow the fate of all others, and to fall under military rule."* Mr. Jefferson well knew, what all may know, whose minds are enlightened with the knowledge of political events, that a bold and unprincipled military chief, at the head of the executive department, had always been the fatal instrument of subverting republican liberty.

It was not difficult for him to discover the signs of a fatal political degeneracy, when a few individuals, the impostors of pretended patriotism, impelled by passion and prejudice; by motives exclusively selfish, by dispositions vindictive and rapacious, had, by the arts of cabal and intrigue, succeeded in procuring the suffrages of a large portion of the electors for a man like Gen. Jackson, to fill the first office in the gift of the people; an office of more

* See the letter recently published, December 1827, dated Madison county, Illinois, Nov. 23d, 1827, and Thomas W. Gilman, Charlottesville, May 27th, 1827, testifying positively to the fact of Jefferson's having said one might as well make a sailor of a cock, or a soldier of a goose, as a president of Andrew Jackson.

importance in preserving the rights of man, than any other on earth; for a man like Gen. Jackson, with not a single qualification but that of courage, of military prowess, and a disposition to exert it, in contempt of the laws of his country, and the dictates of humanity.

It is not strange that a man like him, of ardent and desperate ambition, should aspire to the office of chief magistrate. Neither is it strange that a few individuals were to be found, to nominate him for that office, who are abandoned to their personal views of preferment; and who, to secure for themselves the patronage of the executive power, must elevate to its dominion, a man most like themselves, and whose predominant motives will devote him to the interests of those to whose efforts he is to owe his elevation.

Those who nominated Gen. Jackson, knew very well, that to insure success in his election, he must by some means have acquired a degree of popularity; and they knew that his military exploits at New-Orleans, especially on the 8th of January, 1815, when he drove the enemy from that part of the country, had given great eclat and publicity to his fame; that heroic achievements, in the field of battle, amidst scenes of bloodshed and carnage, often gave to popular applause a more fascinating impulse on public opinion, than the profoundest display of wisdom, or ardency of patriotism in the councils of the cabinet. They knew that he had not acquired that political celebrity in the councils of the republic, that could entitle him to the office of chief magistrate, to which he presumptuously aspired; it would, therefore, create a debt of gratitude from him, to reward those with his patronage, who should be the means of aiding him in the acquisition of it. But it is believed the people of the United States never had any such knowledge of his character, as would have designated him for the office of president. Those who have heretofore supported him, have been fascinated with a recollection of his heroic achievements; the history of his real character either in public or private life, has been studiously concealed from the people of the United States. They have been impetuously incited by false notions of gratitude or admiration, and by the crafty machinations of designing politicians, to make an effort to elevate a rash and injudicious man, to a place which belongs only to tried experience and capacity, and unsullied virtue.

But it is a consolation to believe, that there is yet a redeeming power in a great majority of the people; there is enough of reflection and consideration, to counteract the weak and wicked designs of the few, and their devoted followers. If their suffrage is again asked to aid in the elevation of Gen. Jackson to the first office of their country, they will be impelled to say in the language of Mr. Clay: the candidate, however illustrious he may be, must present some other title than the blood stained laurels, gathered in the field of battle, however glorious.

These remarks are not intended to attach disrespect to the pro-

possession of arms, or to the character of a soldier ; military attainments, when accompanied with other requisite qualifications, may be a reason for civil promotion; and when eminently displayed in defence of our country, ought to be justly and liberally rewarded. And the people of the United States have evinced a disposition to bestow such rewards.* But there is, however, always danger that in the ardor and enthusiasm of their liberality, they may injudiciously confer inappropriate honors. It would be a dangerous precedent to reward heroism with the chief executive power, however gloriously it may have been displayed. Neither can we be too jealous of any man, who, by the eclat of military exploits in the field, discovers an ardent ambition of elevating himself to the summit of civil power.

Should the name of Andrew Jackson be continued on the list of candidates for the Presidency, a most interesting crisis in the history of our republic will be presented. The hereditary dynasties of princes are looking with extreme solicitude to the result of the effort to perpetuate a government of laws, and of rational liberty in America. Should the conduct of the people of the United States, in the choice of their chief magistrate, be influenced by wisdom, and by the dictates of a pure and enlightened patriotism, it will evince in them a capacity for self government, which has never yet been exhibited on earth ; and may be the means of awakening from the slumber of ages, the spirit of freedom on the eastern continent, and of prostrating in the dust, the thrones of tyrants throughout the world.

Americans have been habitually inclined to adopt the sentiment of the poet, in thinking all other republics mortal but their own ; and to believe that a constitution written on paper, will preserve their liberties entire, amidst the conflicts of factions, of passion, of vice and error ; while some of them are making an effort to commit the guardianship of this constitution to a man, who has had no scruples in violating its most essential provisions. This political paradox in their conduct, is a demonstration, that the spirit and manners of the people has degenerated ; or that the dominion of political delusion has commenced its progress over reason, truth, and common sense.

If the political character or conduct of Mr. Adams, or the measures of his administration, are impolitic, or partial and unequal in their operation, let them be publicly investigated and exposed. His supporters are ready to meet the strictest scrutiny of

* After the close of the war, in 1815, Gen. Jackson was continued in command until the army was disbanded in 1821 while he enjoyed an undisturbed retirement, with the exception of a few months active military service, for six years ; during which time he received nearly fifty thousand dollars, as appears by accounts communicated to Congress. This is the man who, we are told, retired like Cincinnatus and Washington, and converted his sword into a ploughshare.—After the army was disbanded, he received three months pay, while he was receiving a salary of a new and honorable appointment as governor of Florida. Some of the most important acts of his administration under this last appointment were repealed by Congress, in 1822, as manifestly unconstitutional.

his opposers ; and he himself, so far from shrinking from an investigation of his character, either in public or private life, earnestly solicits it. But the leaders of the opposition have unfortunately attached entire discredit to their own attestations on this subject, by avowing themselves to be actuated first of all by motives of hostility, and a fixed resolution to oppose his administration, whether it should be wise or impolitic. No other credit is therefore due to any thing they may allege against Mr. Adams, or his administration, than could be to a witness, who when called upon to testify in a court of justice, should declare his resolution to testify against one of the parties, whether he knew any thing relating to the cause or not.

Whenever a determination is discoverable among a few leading men in congress, to oppose a chief magistrate and his administration, at its very commencement, it evinces a political depravity, and that destitution of republican virtue, which should enstamp on their character, and that of their devoted adherents, disgrace and dishonor ; and excite the jealousy of the people, not against the administration, but against them.

In the political, as well as in the natural and moral world, the principle, that like causes will produce like effects, is equally important and true. A single event which may appear inconsiderable in itself, may, in the progress of things, occasion a succession of important events, which might change the condition of a whole nation. One rash and injudicious act ; one ill concerted project of a chief magistrate ; such as might be expected from a man actuated by violent passions, an impetuous temper, and lawless disposition, might inflict evils on our republic, which an age of wisdom could not remove.

As well might it be expected that the eruptions of Vesuvius would send down from its summit the fertilizing aliment of plants, and deck the fields with flowers, as that the councils of a cabinet, produced by such a man as Andrew Jackson, should preserve the tranquillity, and promote the honor and welfare of our country.

The laws which govern human actions and passions, have hitherto decided the progress and fate of republics ; and the same civil commotions and disorders which rent asunder the bonds of union, and overturned the civil constitution of the Romans, a thousand years ago, would have the same effect on our own, at the present time.

The character of the chief magistrate has marked the progress of political degeneracy, and decided the fate of republics, both in ancient and modern times. Sylla, a Roman general, by his military achievements alone, acquired the popularity and the power, by means of which, he put an end to the Roman commonwealth ; and after him a long succession of military chieftains, triumphed, by the sword, over its expiring liberties. Whether they were aided by the deluded populace, in their elevation to the chief command, or forced their way to it, by their courage and physical

strength; the result was the same; and they were never wanting in pretences for breaking down every distinction between a government of laws, and that of men; or between a free republic, and a military despotism.

If we would avoid the fate of other free states, the people must awake to their duty; they must arise in the majesty of their virtue and guard every avenue to the citadel of our liberties, against the first approaches of lawless ambition.

There is nothing in the form of our civil constitution, or in the peculiar disposition of the American people, which can change the operation of the old and trite principle in philosophy, that like causes will produce like effects in the political state of man, as well as in the natural world. Should a general degeneracy in the manners and spirit of the people prevail, they will disregard their rights—passion will triumph over reason, and civil liberty will perish.

There are already too many among us who seek, and who acquire the confidence of the people without deserving it; and who, while they would be dictators of the public will, would rather see the last vestige of republican liberty in ruins, than yield their pretended claims to preferment and to power.

Examples taken from past time have more power over the minds of men than any of the age in which they live. What we see grows familiar. It is because the people have been seen to indulge an habitual inclination to place a blind confidence in their favorites, who are often the impostors of pretended patriotism; because the follies and vices which have been engendered in the conflicts of party dissension, have grown familiar; that we have among us some individuals, who have ventured to hazard an attempt, to impose on the people of the United States a chief magistrate, who has exhibited to the world a character opposed to every moral and political principle, which should constitute the basis of rational liberty. Had such a man as Andrew Jackson been nominated for the Presidency twenty years ago, with no other claims on the people's confidence than he now presents, it would have excited an emotion of general indignation, and consigned his advocates to deserved reproach and contempt.

It is believed there may yet be virtue enough in the people to prevent the fatal effects of a single corrupt and injudicious choice of a chief magistrate. But should the evils inflicted by such an event, not prove fatal or perpetual, it will hereafter encourage those, who, in pursuit of power and personal preferment, will be willing to hazard the experiment of any innovation or change.

The evils which prove fatal to republics, may be expected to be gradual in their operation, so as not to excite alarm at any particular period, until the spirit and manners of the people become so degenerated, and their condition so depressed, that "their rights will expire or must revive in a convulsion." That will be the most important period in our history, when it shall be recorded of us, that our reason and wisdom have triumphed over passion and prejudice; not that period when by our courage we purchased liberty; but when by our virtue we enstamped on its existence immortal duration.

There are important reasons arising from the spirit of the constitution and the policy of our republic, which imperiously urge us to the re-election of a chief magistrate who has merited public confidence. The provision in the Constitution for the re-eligibility of a President, was intended to secure the privilege of continuing the advantages of an administration which had advanced the interest and honor of the country : It also furnishes strong motives to the President in office, to act with firmness and integrity, from a consciousness that by deserving the confidence of the people, he will be more likely to secure the reward of a re-election. It will be admitted that the desire of reward is one of the strongest incentives of human conduct ; and also that the best security, for the fidelity of mankind is to make interest coincide with duty. It must be acknowledged to be the duty of the people of the United States, to establish for themselves a character for stability and fidelity, that will secure to the President in office his re-election, as the reward which will be due for the integrity, the firmness, and the wisdom of the measures which may distinguish his administration ; and there can be no stronger incentive to the good conduct of the chief magistrate, than a pledge of this reward ; neither can there be any other provision for this pledge, but in the fidelity, the patriotism, and the stability of the people.

If the chief magistrate has discharged the duties of his office so as to claim the general approbation, and is excluded from a re-election at the end of four years, the country is thereby deprived of the advantages of his experience. The truth of the adage that experience is the parent of wisdom is admitted by the wise, as well as the simple ; and is perhaps a more essential and desirable quality in that officer, than any other. The measures, and the general policy of a new administration, very soon gain that publicity which enable the people to form correct views of its character. And if it is such as to evince the wisdom and the integrity of the chief magistrate, why should the advantages to be derived from it, be put at hazard, by changing that officer, and others which would be the result of such a change ; and measures too which have met the general approbation ? For it cannot be expected that when the authors of an administration are changed measures will remain uniform ; especially when extraordinary efforts have been made to effect the change ; it may be expected the new administrators would be ambitious of some other distinction, than that of continuing the operations of a policy, marked out by their predecessors. Neither could the right of electing a new President at the end of four years, be intended to equalize the honors and emoluments of the office among those of equal merit. The people could expect to derive no advantage from excluding the chief magistrate from a re-election, for the purpose of electing one whose qualifications could not be thought superior to those of his predecessor. The right of changing the chief magistrate, and with him, the other important officers in the government, was also intended to secure the people, against the evils of a weak or corrupt administration. When such evils do not exist, but on the contrary, the administration is distinguished for talents, for integrity and wisdom, neither expediency or

sound policy can be urged in favor of a change. By an unnecessary, wanton and corrupt exercise of the right of changing the chief magistrate, provided by the Constitution, the object of the provision might be defeated.

If at the expiration of the first term of the Presidential office, we exclude by our suffrages the chief magistrate, who has in the performance of his official duties, apparently pursued the best interest of the country, and in every part of his administration displayed the character of an enlightened, wise, and independent magistrate, we do thereby in effect annul an important provision in the Constitution. When once the people shall exclude by their suffrages a wise and meritorious chief magistrate, from a re-election, it will hereafter be urged as a precedent, the influence of which may by habit, come to operate with the force of law on succeeding elections.

If the principles of a wise policy not only admit, but require that such an officer should be re-elected, and the people are led by the insidious arts of unprincipled and aspiring partisans, into a habit of disregarding such principles, the great object of the provision of re-eligibility, will be defeated, and become only a dead letter. The provision itself had by far better be annulled, by an amendment of the Constitution, than that the people by the force of habit, should acquire a disposition to disregard the important objects it was intended to secure.

If we exclude from a re-election, a man so eminently qualified for the office of chief magistrate, as Mr. Adams, the present incumbent is acknowledged to be, both as to his political science, and the wisdom, integrity, and dignity of his character; what pledge for the fidelity and constancy of the people can any exertion of merit, by those who may succeed him in that office, ever hereafter expect to secure? It will form a precedent in the annals of our history, which, although it will not inevitably exclude the reward of a re-election, from those who may hereafter most deserve it; yet it will render the acquisition of it so precarious, as to furnish of itself, no incentive whatever to good conduct. We could not expect a man enstamped with human frailty as all men are, to undertake arduous and extensive measures for the public good, which would require much more time to perfect them, than a single presidential term would admit, when he had reason to believe from the inconstancy of the people, that before he could complete them, he should have to commit them as well as his reputation to others, who might be both unequal and unfriendly to the task.

We have had great cause for exultation, that a disposition has heretofore so extensively prevailed, to establish a character for constancy and fidelity, which has been evinced by the re-election of our chief magistrates except in one instance. There has been, it is true, an opposition to re-elections, but it has been founded on different principles, and excited among the people by different motives, from those which actuate the opposition to General Jackson. No candidate, except him, has ever yet been proposed for the Presidency, whose character was such as to exclude all reasonable expectations, that his ad-

ministration might promote the interest and the honor of the republic. The opposition to other candidates has arisen either from a diversity of opinion relative to their political views and principles, or from local considerations, either of which, it is believed, do not furnish the principle ground of opposition to General Jackson. His opposers are well agreed, that he does not possess a single qualification, suitable for the office of chief magistrate. Even his military talents and prowess, under the direction of a temper and disposition like his, render it improper and impolitic, to intrust him with the chief command of a military district.

But however less exceptionable the character of a new proposed candidate might be; should the different candidates have equal claims on the confidence of the people; the evils inevitably resulting from a contested Presidential election, are so well known, and so deplorable in their consequences, that no effort, which may be consistent with the maxims of a wise policy, should be wanting to avoid them.

The experiment which is making in the United States, of electing a chief magistrate, is not the first that has been made in the world; and what has heretofore been its operation and end is well known. Directed by a few corrupt, ambitious and desperate individuals, it has produced the greatest misfortunes, and finally the ruin of other republics.

The transcendant honors and privileges necessarily appertinent to the office, present a prize, which may be expected to excite the emulation, and inspire the most ardent ambition of different candidates, while the extensive patronage attending success, brings into hostile array, a formidable host of contending partisans. The press, intended as a resplendent beacon, to point men to the light of truth, is prostituted to the diminutive and degrading views of self-preferment. Every sordid passion and paltry prejudice is enlisted in the contest. The diverse attachments, enmities, hopes and fears of leading men in community are excited; who do not scruple to sacrifice the national tranquillity, to the purposes of personal advantage or gratification. The malignant passions are set on fire; and the people are subjected to the impulses of rage, resentment, jealousy, avarice, and every irregular and violent propensity. The spirit which generates these evils, "distracts the public councils and enfeebles the public administration; agitates the community with false alarms; kindles the animosity of one part against another, and often occasions riot, violence, and insurrection."

"The domination of one party over another, incited by a spirit of revenge, has in different periods of the republics, often inflicted the most horrid enormities, and has itself proved a frightful despotism."

These are some of the evils which result from a contested Presidential election; and so corrupting is their influence on the public morals; so degrading to the dignity of national character; and so deleterious to the permanency of republican liberty, that they have in other ages of the republics, heretofore, disposed the minds of men eventually to seek repose in the absolute power of an individual.

The people have the power of arresting the fatal progress of these

evils; by their habitual constancy and fidelity to the chief magistrate, who is wise and faithful in the discharge of his official duties, they can discourage all overtures, and set at defiance every effort to introduce a new candidate to that office, when the essential interests of the country do not require them. The great mass of the people have no interest individually in the change of a President or the administration. The provision in the Constitution for a re-election, was not intended to provide the emoluments of office, for a few aspiring individuals, at the end of every four years; but to secure the people from the evils of a contested election, when they might be so fortunate as to have a chief magistrate who should merit a continuance of their confidence.

We may expect there will be a perpetual succession of aspiring and rapacious expectants of Presidential patronage, who will unceasingly assail the constancy and fidelity of the people.

The effort by which provision was made for a constitutional mode of electing a chief magistrate, was a more perfect exhibition of national wisdom and deliberation than the world had ever seen. It remains for the people to evince by their conduct, that they will stedfastly pursue the great objects it was intended to secure.

But it cannot be concealed from the world, that a determined and desperate effort is making to defeat these objects.

Never did the condition of our government more imperiously urge the people to a re-election of any chief magistrate since the days of Washington, than that of Mr. Adams. It will be recollected, that the two great political parties, heretofore known by the distinguishing names of federalists and republicans, were at the election of Mr. Jefferson so equally divided, that he obtained a majority of only a single vote; yet notwithstanding the strong prejudices excited by party zeal at that time, and when Mr. John Q. Adams was reputed to have been attached to the party opposed to the election of Mr. Jefferson, he received from him, as has been before observed, the appointment of minister plenipotentiary to Russia. The violence of party zeal which has heretofore consigned to opprobrious censure every other individual of political distinction, could never diminish in him the confidence of any administration, nor induce any one of our chief magistrates to dispense with his services; with such high consideration did they view his capacity and his qualifications for public employment, and such the purity and integrity of his character. He seems to have been destined in the course of human events, to possess the confidence of those two political parties, which heretofore had rent asunder the bonds of our union; and to check the fatal progress of those evils, engendered by party dissensions, under the insignificant distinctions of mere names. So hopeless has been the prospect of a successful opposition to his political character, that it never has been attempted until it was commenced by a few individuals of desperate ambition, who have hoped by the delusive influence of heroic fame, by the insanity of enthusiasm, and false notions of gratitude to a military chieftain, to drive him from the councils of the cabinet, and thereby acquire for themselves places of power and consequence, from which reason, truth and justice would exclude them. It has been reserved for the

advocates of Andrew Jackson to make the discovery that John Q. Adams was not duly qualified for political concerns, but was a wicked and designing man; and that Andrew Jackson was the man above all others the most suitable to reform and save the administration of our government from political degeneracy. Notwithstanding such men as Washington, Jefferson, Madison and Munroe, together with those illustrious characters who have directed the destinies of our republic for thirty-six years, while it has been elevated to an unexampled height of prosperity; although this august assemblage of men, who would have honored and blessed the councils of any country in any age of the world, have been of the opinion that he was pre-eminently qualified, for the most important offices in the administration; yet it has been discovered of late by the few individuals who projected the nomination of Andrew Jackson, that this same Mr. Adams is, and has been an unwise man, and a dangerous statesman.

But why have not these honorable gentlemen, distinguished for patriotism as they declare themselves to be, until now divulged the result of their discoveries, to the people, and thereby endeavoured to correct the devious tendency of public opinion? Was it not because the period had not arrived when they were prepared to put in their claims to presidential patronage; because they were not before ready and anxious to aid with their political services, the councils of the cabinet; because they had found no man before Andrew Jackson who had encouraged them confidently to expect, that he would open the door to every avenue which might lead to the consummation of their aspiring views; that no one but him had given such ample assurances that every officer in the administration, should be compelled to yield his place to them and their favorites.

That this would be the first fruits of his administration, should he accede to the Presidency, his advocates have exultingly proclaimed.

Neither have we any reason to doubt that such would be the result. We may well suppose that the man who would not admit the laws of the land, nor the obligations of moral rectitude and justice, as his rule of action, when opposed to the dictates of his will, would not forbear to take a signal vengeance on those who had been instrumental in protracting the event, which is to consummate the first object of his wishes. It would be in perfect accordance with every public act of his life, to divest of power any and every individual who had presumed to question his merit, or oppose his designs.

But preposterous as is the project of General Jackson's nomination; and however diminutive the number, and improper the political views of its authors, they would now sanction its expediency, by the number of their proselytes. Can efforts, say they, which have been encouraged, by so large a portion of the people, be considered improvident or inexpedient? The man who should consider this an inexplicable paradox, would betray his entire ignorance of the political character of man, as it has been exhibited through the whole history of republics. The most abandoned tyrants that have heretofore consigned republican liberty to the dominion of despotism, have owed their elevation to the people.

It has been observed that a large portion of the people, and those too reputed as honest as any, were too fond of their own ease and peace, to trouble themselves much with public affairs, and were in the habit of yielding their political conduct to the dictation of certain favorites. But the motives by which favorite leaders are actuated are often improper, and not known to the people. This inattention to the character and motives of popular leaders has often been attended with the most fatal and disastrous consequences. The people throughout the world have always possessed both the physical and moral power of establishing for themselves free constitutions, and systems of rational liberty; the use they have made of this privilege is but too well known; they have permitted their popular leaders to lead them on from one error to another, till at last they have been forced to consign their liberties to the dominion of a tyrant. It will be recollected, that Aaron Burr was once a powerful and popular leader, and that an effort was made to elect him chief magistrate; and because Alexander Hamilton, who was at that time unpopular, warned the people that he was a dangerous man, it cost him his life; and that Aaron Burr not long afterwards, had a bill found against him on a charge of high treason against the United States.

We, my fellow citizens, must learn the qualifications of a candidate for the Presidency, from a more pure source, than from those who set themselves up for popular leaders, who are actuated by motives of interest, which would discredit their testimony in a Court of Justice, in a question which involved the right to a single dollar.

There are too many of our useful and respectable citizens, who engage in a contested election, from motives of envy, or jealousy, or from some personal prejudice; not because they believe the welfare of the country requires that they should oppose the proposed candidate; but because they would oppose certain individuals, who are his friends and advocates; there are too many of our citizens, who indulge the little ambition of being instrumental in appointing a ruler for those over whom they would exercise some superiority; such is the love of power, if they cannot be rulers themselves, they would rule by proxy, and would rather belong to the predominant party in a contested election, than to be the known advocates of a candidate against whom there is no opposition. And it is very certain too, however much to be regretted, that too many of our citizens are destitute of that information, which might enable them to detect the arts of intrigue and deception with which they are continually assailed by designing men; and what is more deplorable, are profligate in their manners, and abandoned to their vices. From this view of the character and improper motives which govern the conduct of many of our citizens it is easy to see how popular leaders of profligate manners and desperate ambition, may turn the laws which govern human actions and passions to the purposes of their own elevation. Whosoever should conceal from the contemplation of the people these considerations, or forbear to admonish his fellow-citizens of their danger from a delicacy or dread of popularity, would be guilty of a weakness, if not a vice. When votes are given under the

influence of passion, or may be obtained by fraud, falsehood, bribery, intrigue, and every species of corruption, their number furnishes no evidence whatever of the merit of a candidate; and against the means of prostituting the right of suffrage, no civil constitution can effectually provide.

It is said that a man cannot obtain the votes of the freemen for an important office, unless he becomes popular. This is indeed true. But there are two ways to obtain popularity; one by meriting the confidence of the public, by a wise and faithful discharge of the various and important duties of public or private life; by his attachment to the laws and constitution of his country, and a sacred regard to the precepts of a pure morality; when by the general course of his conduct his merit becomes conspicuous, his popularity commences, and follows him. But there is another way of becoming popular, which owes its origin to the councils of a caucus, or secret meeting, held for the purposes of political intrigue—the general object of which is to render some individual popular, who may not have attracted the attention, or commanded the confidence of the public. Men who derive their popularity from this source, do not rely so much on their merit, for their elevation, as on the efforts of those who have a personal interest in rendering them popular. The number of votes which such men may obtain will depend on the zeal and efforts of their advocates; who by unceasing asseverations in their behalf, often induce the people to believe that those who can create so much excitement and anxiety, must deserve the public confidence. A volume might be filled with the names of those who having acquired their popularity by such means, have proved the fatal instruments of subverting republican liberty.

The Siren song of popularity has led the train of fallen republics from Nero to Napoleon.

Look to the lessons of history. During the late revolution in France, after the people had got rid of their monarchy, they possessed the power of elevating to the chief magistracy whoever they should choose. But was it an evidence of the merit of Robespierre and the other tyrants who successively held the supreme power, that they were raised to it by a majority of the people, while their country was converted into one great aceldema, on which the blood of her slaughtered citizens incessantly flowed. The people of that devoted republic were made to believe that these tyrants were friends to republican liberty; but had to atone for their credulity and folly, with the sacrifice of fifty of their heads on each day, for about two years.

Did the success of Aaron Burr in obtaining votes for the Presidency, furnish evidence of his merit and qualifications? But the talents of Aaron Burr were transcendantly superior to Andrew Jackson's; while he was much less profligate in his manners, and despotic in his disposition.

Demagogues have always been ready to sanction their vices and impositions, by the suffrages of the people, when they have no other resource for their popularity.

The result of the late Presidential election has furnished the advo-

cates of Andrew Jackson with arguments in his defence, which they could have derived from no other source; and on which they appear exultingly to confide. It is admitted that he had a plurality of electoral votes over Mr. Adams; but as there was not a majority of votes for him, the votes given by the advocates of Mr. Clay could have had no operation in putting at rest the Presidential question, unless they had been given to either Jackson or Adams. The members of Congress on whom the election devolved, in making their selection, were not bound by the electoral votes which had been given for Jackson. The provision in the Constitution for the election of a President by the members of Congress, when there shall be no choice by the electors, constitutes another and an independent board of electors; and it becomes the duty of this board to act independently of all other influence, than that of the obligation imposed on them by the Constitution. Yet it appears that an attempt was made by the Legislature of Kentucky, to influence their members in Congress, to disregard this obligation, by passing a vote declaring that next to Mr. Clay, General Jackson was the choice of the people of Kentucky, and requesting their representatives to vote for him; although the members of that Legislature must have well known, that neither the Constitution, nor any principle of wise policy, could sanction such a measure. As well might they have passed a vote, declaring what candidate was the choice of the people, and requesting the electors to give him their votes.

The advocates of Gen. Jackson would contend, that the votes of the electors in those states, when there was a plurality of votes over Mr. Adams, have furnished competent evidence that a majority of the freemen in those states were opposed to his election; and that the members of congress from the same states, were therefore bound, in deference to the wishes of their constituents, and by the spirit, though not by the letter of the constitution, to have witholden their votes from Mr. Adams, and to have given them to Andrew Jackson. This position cannot be admitted. The members of congress, who voted for Mr. Adams, furnished evidence of the same nature and degree of competency and constitutionality, that a majority of the freemen of those states were in favor of the election of Mr. Adams. In either instance, the people had no other agency in choosing a president, but in giving their votes for electors, and for members of congress. They had, therefore, to confide in the wisdom and discretion of those to whom they had delegated that power. It is not only difficult, but it may even be impossible, to ascertain whether the electors or members of congress, will always make a choice, which is conformable to the wishes of a majority of the freemen.

It will be recollected that the freemen, individually, have heretofore had no agency even in choosing the electors of the President; the legislature of the several states, having generally exercised the right of choosing them. This renders it more uncertain whether the views of the electors respecting the candidate for the presidency, will always coincide with that of their constituents; for if the candidates for the state legislatures do not succeed in deceiving their constituents, res-

pecting their political views, they may betray their confidence in the choice of electors. It is obvious, then, that the members of congress, who are chosen by the immediate act of the people, are more likely to know and to act according to the will of the freemen, than electors, of whose political views they might have no knowledge, except through the intervention of their representatives. Those members of congress, who next to Mr. Clay, preferred Adams to Jackson, might also easily have believed, from the extraordinary interest, and desperate efforts, to effect his election, that his advocates had resorted to improper and unwarrantable measures to obtain for him a plurality of votes over Mr. Adams.

It is demonstrable by referring to facts relating to the election of Mr. Adams, that he is not only constitutionally, president, but that he had a greater popular vote than any of his competitors. The public mind has been misled on this subject. By referring to the following table, the result of the late presidential election will be found not only conformable to the letter of the constitution, but to the spirit of our democracy.

STATES.	No. of electoral votes, and to whom given.	No. of popular votes, and to whom given.	No. of popular votes, and to whom given.	Total popular votes.	No. of votes in each State.
Maine,	9	6870	2330	9200	32595
New-Hampshire,	8	8000		8000	69601
Massachusetts,	15	30187	6616	37103	153500
Rhode Island,	4	2145	200	2345	22869
Connecticut,	8	7569	1978	9547	79561
Vermont,	7	8000		8000	68221
New-York,	26	39000	7500	54000	382244
New-Jersey,	1	9215	1500	6000	73550
Pennsylvania,	8	5405	10238	19503	290088
Delaware,	1	1500	35893	47185	47185
Maryland,	3	14632	3000	4186	4500
Virginia,	2	1500	14523	4364	34214
N. Carolina,	1	3048	2290	7542	695
S. Carolina,	15	7000	5415	13621	1644
Georgia,	11		7500		14524
Ohio,	9			6500	36036
Kentucky,	16	12230	18189		7500
Tennessee,	14	216	6326		6500
Louisiana,	11	2000	20197	312	50024
Mississippi,	2	1694	3000	119	23269
Indiana,	3	3093	7343		20725
Alabama,	5	2417	6443	1680	5000
Illinois,	5	1541	1272	847	5067
Missouri,	2	No re-	turn of	popular votes.	15751
21 states,	1	3			10907
	34	99	41	37	4707
					133357
					2203134

In some of the states it will be observed that the electors were chosen by the legislatures. The popular votes, therefore, in those states is computed from an ascertained ratio of the actual votes, with the number of voters, in the other states ;—they are distributed according to the proportion of electoral votes for each of the candidates. Thus in Vermont, where Adams had all the votes in the electoral college, we have given him the whole num-

ber of popular votes, in New-York, they are divided according to the electoral votes each received ; and in South-Carolina, where Jackson received all the electoral votes, he is allowed all the popular votes. The result thus stated, shews that although Mr. Adams received 166112 votes of the people, he had but 84 votes in the electoral colleges ; while Gen. Jackson, with only 153733 popular votes, received the votes of 99 electors. If the electoral votes had been in accordance with the votes of the people, Mr. Adams would have had more than Jackson. Our opponents complain that Maryland and Illinois, in congress, voted for Mr. Adams. Let us examine, from the data furnished, whether this was not exactly as the people wished. In Maryland, as the table shews, Mr. Adams had 14632, and Gen. Jackson 14523 popular votes. Now, upon pure democratic principles Mr. Adams ought to have got all the electoral votes of that state, and if the electors had been chosen as in Pennsylvania, by a general ticket, he would have had them. But in the division of districts, it happened that Gen. Jackson, with a less number of popular votes, obtained 7 electoral votes. If Mr. Adams had obtained them, the result would have been 92 each. In Illinois, also, Mr. Adams had 1541, and Gen. Jackson only 1272 votes of the people.—Upon the same principle, Adams therefore ought to have had the electoral votes of that state ; yet Jackson got two, and he only one. If we take those two from the general, and add them to Mr. Adams, it would then stand thus—Adams 94—Jackson 90.

There is another fact which appears from this table, that ought not to be overlooked. In the southern states, where Gen. Jackson had his majorities, the slave population is represented in the proportion of *five* to three whites. Electors were chosen accordingly. *Five slaves*, therefore, had as much political power as *three free whites*, in the eastern or middle states. It is evident, therefore, that Mr. Adams had in truth a very large plurality of the *free* voters of the United States. The subjoined table will illustrate this argument.

Slave holding states that voted for Adams or Jackson.	Free white population.	Representative numbers which includes 3-5ths of the slaves.	Electoral representation of free whites	Electoral representation of slaves.	Free white vote for Adams.	Free white vote for Jackson.	Slave vote for Adams.	Slave vote for Jackson.	Whole vote exclusive of senatorial representation. Adams Jackson	
Maryland,	960022	364389	03	23	24	54	3	14	3	7
N. Carolina,	409200	556821	10	3		10		3		13
S. Carolina,	231812	389594	54	34		54		34		9
Tennessee,	339727	390769	8	1		8		1		9
Louisiana,	733881	125779	2	1	2-3ds.	1-3	1-3d	2-3ds	1	2
Alabama,	854511	110339	2			2		1		3
Mississippi,	421761	62320	1			1	1-12	10	2-3	1
			354	114	2 11-12	33 1-3d	1	10	4	44

From the above table it will appear that from the slave holding states, Jackson received 44 and Adams but 4 electoral votes. The senatorial representation is not taken into account, as it would not effect the calculation either way. It will, also, appear that of pure slave votes, Jackson received nearly 11 and Adams 1 only. Now take the result as we have shewn it would have been if Maryland and Illinois had gone entire for Mr. Adams, according to the popular vote, viz. : 94 for Adams and 90 for Jackson. Extinguish the *slave vote* altogether, which would subtract, in whole numbers, ten from Jackson and one from Adams. It would then stand—Adams 93 and Jackson 80 only.—Thus in every point of view, it is clear, if the voice of the *greater number* is to be an indication, that Adams was the choice of the free people of the United States, and the main argument of his opponents falls to the ground.

Notwithstanding the election of Mr. Adams has been made, not only according to the letter, but the spirit of the constitution, yet it seems to have furnished to his opponents a source of the most bitter invectives; that because when Gen. Jackson had obtained a plurality of electoral votes over him, he should consent to be elected; and that because after he was elected, he appointed Mr. Clay, (who may be ranked among our most able and illustrious statesmen,) secretary of state; they would impose on the understanding of our citizens, by urging, that these circumstances have furnished evidence of his having been guilty of making a corrupt political bargain with Mr. Clay, to obtain his election; and of disregarding the principles of the constitution! To such immeasurable degrees of folly and insanity are the victims of an unjust and disappointed ambition impelled.

They would have the people believe too, that Andrew Jackson's plurality of electoral votes over Mr. Adams, furnishes competent evidence of his popularity; and that popularity thus acquired, is an attestation of that merit which should command their confidence; although it has been proved from the whole history of the civil state, that votes may be procured, by the arts of intrigue, by bribery, by falsehood, and by every species of imposition; and although great and petty tyrants, and pimping demagogues, have, under the same specious pretence of merit, been elevated to importance and to power. In the mist of this political delusion, they would conceal the deformity of a character which would blacken the pages of our history, and enstamp on its fortunes, disgrace, disorder, and ruin.

If we would preserve the purity of elections to important offices, we must be governed by truth and reason, more than by sounds. If a candidate, whoever he may be, has obtained more votes than he merited, instead of furnishing evidence of his popularity, it only proves that the people have been deceived. The question for a wise people to investigate, in relation to the election of a president, is not whether this or that candidate may obtain the most votes; but who is qualified to discharge the duties of the office so as best to promote the public good. If local prejudices, personal interests, and geographical discrimination, have a predominant influence in the election of that officer, we cannot with confidence calculate on the tranquil enjoyment, or the perpetuity of our union.

At no period of our national existence, has any political event excited so extraordinary an interest in the public mind, as that of the nomination of Andrew Jackson to the Presidency.

The condition of the United States presents to the world the magnificent spectacle, of a people who have, as it were, but just snatched their liberties from the ruins of empire, amidst the thunder of contending nations, and are making the last effort to secure for it the triumphs of an immortal existence. History, the monumental record of national decline and ruin, exhibits to our view the causes of republican degeneracy, in characters legible as the sunbeams, and which cannot be mistaken; and it points us to their commencement, at that period when their chief executive power has been committed to men of despotic wills, lawless ambition, profligate manners, and desperate courage.

To extricate ourselves from the evils of a hereditary monarchy which might impose on us in the line of descent, a weak or unprincipled despot, the blood and treasures of our illustrious ancestors have been expended ; but are those evils more tolerable, or less to be deprecated, when by our free suffrages we inflict them on ourselves ? Does the right of suffrage give impunity to the errors or vices of freemen ? If the rights of the people are to be invaded with impunity ; if our liberties are to perish in the administration of a military despot ; is it a privilege of which freemen should boast, and in which they ought to exult, that they have the right of choosing the men who are to be the instruments of their ruin ? It is a truth which cannot be concealed from an impartial world, that the history of the British monarchy, for the last three hundred years, has not recorded a character among those who have inherited the sovereign power, so despotic in his principles, or abandoned to his vices, as that man, whom the people are invited to elevate to the chief magistracy.

Had we the misfortune to have lived under an hereditary monarchy, and the Great Disposer of human events, should, in his wrath, have imposed on us such a sovereign as Andrew Jackson, in the line of descent, it would have been considered a national calamity. No faction would then be created, to conceal his vices and his errors, by the proclamation of his popularity ; and as he would have depended on no one for his elevation, none could calculate on his patronage. But the case is otherwise ; we live in a free republic, and the people are not doomed, by their constitution, to consign their liberties to the administration of an unprincipled tyrant. And unless they suffer themselves to be deceived, through inattention to the characters of the different candidates, it is believed they will not do it.

The question respecting a presidential election, should not be affected by geographical discriminations or sectional interests. Whatever may be the views of aspiring partizans, attached to different candidates, it is believed the great mass of our population would discard the little policy of any chief magistrate, which should tend to encourage the pursuits of one part of the commonwealth at the expense of the other. There may be individuals influenced in their political conduct by local attachments, and prejudices, and interests ; yet it is hoped the major part of our citizens will never disregard the vast importance of an inviolable and perpetual union of the states, which never can be maintained by any other than a policy both equal and just in its operation.

It is of no consequence to the people whether the President is a native citizen of the northern or southern section of the United States, or from what stock of ancestors he has descended ; neither is it of importance to know whether he has heretofore approved or opposed certain measures of the administration, contrary to the views of other eminent statesmen ; the wisdom of political measures cannot always be attested, but by a long course of experience ; the great question which should decide the choice of

that officer, relates entirely to his character. If he has proved to the people by his general deportment that he is governed by the principles of a pure morality ; and that by his public conduct he has evinced a sacred regard to the laws and constitution of his country ; and a capacity equal, if not superior to any other individual ; every motive which should influence the choice of a wise people, urge them to re-elect the man who possesses such qualifications.

It is not necessary to adduce evidence that such is the character of John Quincy Adams. The proofs are already before the world, and cannot be discredited. For nearly forty years he has stood the landmark of his country's wisdom, " a mental Pyramid," whose base the storms of faction and passion could not move. And it will not be forgotten, that unwearied and desperate as have been the efforts of his opponents, they have not been able to confirm against him a single charge either of incapacity or dereliction of duty ; or to trace to the source of his administration any one political evil or misfortune. And yet we are insultingly told that the public good requires that the office which he holds should be filled by Andrew Jackson ; a man who has been proved before the public to have committed more errors, and vices, and crimes, than any other man in the United States, whose character has gained equal publicity. A man who in private life, has exhibited the deformity and the danger of the human disposition when uninfluenced by either moral or legal restraints. Who from his early youth has been habitually engaged in petty and degrading quarrels, which under the delusive guise of chivalric honor, he has avenged by violence on the lives of his fellow citizens ; a man of so dangerous a disposition that Col. Benton declared he dared not risque his life in the same state with him, and for that reason removed out of it ; who caused the lives of two men to be taken contrary to the sentence of a court martial instituted by him for the express purpose of their trial ; a man, who, against both the letter and the spirit of the constitution, undertook to administer martial law over the civil rights of the people, who were not subject to his authority ; and under color of that law, attempted to break down the liberty of the press ; suspend the judicial and legislative powers of the government ; and in violation of the law of nations, as well as of the United States, arrested and imprisoned the French consul, and banished all the French citizens resident at New Orleans, and who were alien friends, to a place one hundred and twenty miles distant from their homes. And who, because Lauillier, a member of the legislature, and a respectable and worthy citizen, published in a newspaper some appropriate strictures on his illegal conduct, ordered him arrested and put on trial, as for a capital offence, by a court martial ; and when that court acquitted him, disapproved of the sentence, and would not discharge him from imprisonment ; who imprisoned a Judge of the United States Court for issuing a writ of habeas corpus for the release of Lauillier, and treated the process of the writ with contempt ; who

arrested and imprisoned Mr. Dick for procuring a writ for the release of the judge ; who caused two hundred of the militia of his own state to be ignominiously punished, six of them with death, against the positive law of the land, and under circumstances shocking to humanity ; who under the false pretence of public danger, after the enemies of our country had been vanquished and left our shores, subjected to the penalties of martial law three hundred of our own citizens, not one of whom were amenable for the violation of any law, or usage, or article of war !!! who has waged war against a neutral power in violation of positive instructions ; who has openly directed the officers under his command, to disobey the orders of the president of the United States ; and finally, because the national senate presumed to inquire into his outrageous and disgraceful conduct, threatened to enter into their chamber and cut off their ears ; and was prevented from carrying his threat into execution, only by the patriotism and courage of Decatur !!! In the name of human and divine wisdom, is such a man in the character of a chief magistrate, to be imposed on the people of this enlightened and virtuous republic in the present age of the world ? If he is, then indeed it may be said of us that political delusion has triumphed over reason and truth. Well then might we exclaim, whither has fled that stern integrity, that firm and disinterested patriotism that once scorned to win a short lived popularity at the expense of our immortal glory ; well then may our once happy country, destined by heaven as we had fondly hoped, to illustrate the splendid achievements of her heroes, and the wisdom of her sages in the example of her sons, be described in the opprobrious language of the Poet,

Unpris'd are her sons 'till they learn to betray,
 Undistinguish'd they live if they shame not their sires
 And the torch that would light them to dignity's way
 Must be caught from the pile where their country expires.

If our republic is to be saved from the disgrace and ruin with which it is threatened, you must be persuaded, my fellow citizens, by the veneration which you owe to the constitution achieved by valor and cemented by the purest blood of patriotism ; by your reverence for the holy relics of the heroes, the sages, and martyrs of our history ; by your attachment to the laws, and your veneration for that Eternal Power on whose divine commandments they are founded ; and as in the presence of your God, and under that awful influence imposed by the fate of unborn millions of posterity ; to oppose by all lawful means, the election of Andrew Jackson to the Presidency.

A volume could not contain a description of the various and fatal evils we might expect would inevitably result from an administration over which he should preside. If our republic must fall, as it probably would, and that very soon, if committed to the administration of that man and his political advocates, it is hoped our honest and intelligent citizens will cling to it while it has life

in it, and even longer than there is hope ; let them be auxiliary to its virtues ; and if death must be its fate, let them exhaust the last power of intellect, that they may protract its dying nature, and from its expiring convulsions snatch the spirit of liberty, and render its reign on earth immortal.

The assertion which is too often made that there is no difference in the moral characters of men is absurd and dangerous. Although it should be admitted, that all men are equally actuated by motives of personal interest, yet universal observation proves, that the conduct of men in pursuit of the same object, is widely different. While one scrupulously resolves to make his interest coincide with his duty to his fellow citizens and his country, we see others in pursuit of the same object, obviously disregard every obligation imposed by either moral or legal restraints.

The world has been ransacked in vain to find causes of accusation against the public or private character of President Adams, and because his enemies can find none, they pronounce him a cunning, designing man, and a hypocrite. But when Andrew Jackson has without shame, and apparently without remorse, violated the sacred obligations which should bind together society, and rendered himself a dangerous man even in private life, and under the color of a little brief military power, set at defiance every principle on which the superstructure of our republic is founded, and violated even the laws of humanity, which should distinguish the civil from the savage state ; he is pronounced by his political advocates the more honest man, and most worthy of the chief magistracy. But whatever may be the success, attending the impositions of a desperate faction, it cannot change the eternal laws which discriminate between the characters of men. There is a difference between virtue and vice, between wisdom and folly ; there are such qualities as patriotism, as the love of honour, of truth, of justice and humanity, which mark the conduct of different men and distinguish their characters. Whoever shall attempt to ascribe corrupt motives to conduct in itself praiseworthy, and morality to mere human contrivance and political skill, would undermine the foundation of all virtue and subvert the order, the peace, and safety of society ; as well may they justify the commission of every crime, and the practice of every vice, by ascribing to its author motives of benevolence, patriotism and philanthropy.

But such are some of the absurd pretensions, by which the opposers of President Adams and his administration, would impose on the credulity of honest freemen. While they would ascribe the most important political conduct of his life which have conferred upon him the fame of an illustrious statesman and pure patriot, to the arts of hypocrisy, they are willing to ascribe to Andrew Jackson motives of zeal for the public good, in justification of the most flagrant and wanton violations of law, justice and humanity.

They first hoped to gain the confidence of the people in their

positive denials of the charges against him ; but when their truth was demonstrated before the public, by the records of his administration, and the testimony of living witnesses, they attempted to justify his conduct from the exigencies of public danger ; and when it is proved by comparing even his own declaration with the dates of events, that such exigencies did not exist at the time, when under this delusive pretence, he was treating with contempt the vital principles of the constitution, and inflicting the punishment of ignominy and death on our own citizens ; excited by the insanity of party zeal, they are ready to ascribe all his errors and his vices to the ardency of his patriotism. Such are the absurdities to which men would resort in the madness of their ambition. But those who had the presumption to place his name on the list of candidates for the Presidency, could never believe that the intelligent freemen of the United States, unless under the influence of gross imposition, would ever elevate to the supreme magistracy, a man, whose only passport to power was his despotic will, his courage and his sword.

APPENDIX.

THE reasons stated by General Jackson for proposing to the legislature to suspend the writ of Habeas Corpus, and afterwards for the proclamation of martial law, were, that intimation had been privately given, that some disaffected persons were to be found in New Orleans.

That there was any danger to be apprehended from such persons there has been no proof exhibited to the public. On Gen. Jackson's arrival at New Orleans, the whole population of that place devoted itself to the defence of the country ; a levy en mass was effected. Even the old men organized themselves into companies, and the ladies employed themselves in making clothes for the militia.*

But take the testimony of Gen. Jackson himself. In his letter to the Mayor of New Orleans, dated January 27, 1815, he says, " I pray you, sir, to communicate to your respectable city, the exalted sense I entertain of their patriotism, love of order, and attachment to the principles of our excellent constitution. Seldom in any community has so much cause been given for deserved praise. While the young were in the field and arresting the progress of the foe, the aged watched over the city, and preserved its internal peace ; and even the softer sex encouraged their husbands and brothers, to remain at the post of danger and duty."

This letter, it will be noticed, was written nineteen days after the celebrated victory, and when General Jackson must have had all the evidence of the dangerous disposition of the citizens of New Orleans that he ever could expect.

" All the inhabitants of Louisiana vied in zeal for the service of their country, and strained every nerve to repulse the enemy."

Neither has there been any evidence before the public that there was a traitorous disposition in the legislature, which could justify General Jackson in suspending the legislative authorities.

It is said that General Jackson received a suggestion that there was a panic among the members of the legislature, and a thought entertained by them of a capitulation.† This imputation the whole of the legislature have always solemnly denied. And their conduct gives no color to such a charge.

On the arrival of General Jackson at New Orleans, the legislature voted \$65,000 for new fortifications, and put \$6000 in the

* See 17th page.

† Latour's Historical Memoirs of the War in West Florida and Louisiana.

hands of Commodore Patterson for the purpose of hiring additional seamen.

General Jackson, however, sent an aid to the city with orders to the Governor to institute a strict inquiry into this matter : and if it was true that the members meditated such a thing, to blow them up into the air.* The aid, sent to the Governor, without such investigation, introduced an armed force into the halls of the legislature, and expelled the members with the point of the bayonet,† and General Jackson sanctioned and approved the measure.

He had previous to this proposed to the legislature to suspend the writ of Habeas Corpus ; and thus put the personal security of every man in the state except himself, beyond the reach of all protection or safeguard.‡

The resolution of the legislature declining the adoption of so violent a measure, placed their refusal chiefly on the ground of the apprehension that it might chill the enthusiasm then prevailing—interrupt the excellent feeling then so general—and thus impede the preparations for defence. This was two weeks before any enemy was heard of in the neighborhood †

They had another ground which should have satisfied the Gen. They had no authority to suspend that writ. An authority which it is denied Congress has any legal power to exercise.

“ The legislature had continued to meet, notwithstanding their forcible expulsion from the Hall by armed men, and the establishment of military government in the city. Indeed the performance of their functions was necessary, for the purpose of voting assistance to the sick, wounded and destitute, among the militia.”

A large number of the citizens in offering their services as volunteer soldiers, desired to stipulate that they might not be sent away from the state ; to which General Jackson had returned a refusal of their offer ; telling them that soldiers who entered the ranks must forget the habits of social life, and be willing to go wherever duty and danger called them. Such were the kind of troops he wanted and none other would he have.” The citizens of Louisiana were much disappointed and surprised by this refusal. They desired to expose their lives in defence of New Orleans, but were not willing to be sent to Florida, or against the Indians on distant campaigns, as regular enlisted soldiers, with a General who was known to regard his own view of the occasion for their farther service, as the only boundary to the extent of their tour of duty ; and to condemn the militia laws as affording only subjects for ill timed quibbles.

The refusal of the volunteers to subject themselves to be marched elsewhere as soldiers, and for an unlimited time, did not prevent their active co-operation in the defence of Louisiana.

His biographer, General Eaton records, that during the whole of the Indian war, of 1813 and 1814, there was a perpetual effort

* Eaton's Life, 305.

† Latour's Historical Memoirs.

‡ The Committee reported against the proposition on the 16th—the landing of the British was on the 23rd.

on the part of General Jackson, to compel the militia to serve longer than they were bound to do by the law. That those who persisted in and exercised their undeniable right to return after a faithful service to their families, were branded by him with the name of deserters.* And that he caused a lieutenant, who had served his term fully to its end, and was returning to his home, to be imprisoned, after having presented a pistol to the young man's breast and compelled him to choose between death and submission. Such an effect had these tyrannical proceedings upon the gallant Tennesseans, that no entreaties nor force could prevail on a regiment of the militia to remain even twenty days beyond the legal term of their service.†

After the victory of the 8th of January, and the enemy had left the country, the regulars, and chief part of the militia, accompanied him to the city; a large portion of the Kentucky and Louisiana men were ordered to remain in the mud on the plantations. These militia were detained in their wet and sickly encampment long after all possibility of a new invasion had passed away; not until the 13th of March were the Kentuckians allowed to leave the field. The unhealthiness of a constantly wet soil, caused them to contract pernicious fevers and dysenteries, which soon became epidemical. The effect of these disorders was speedily seen and terribly felt—in the space of one month five hundred of them were sacrificed in this unfeeling manner. The shocking mortality among the drafted militia, still without any apparent necessity, encamped on the wet soil of a plantation, excited much discontent. These regiments were composed in a great measure of French natives residents of New Orleans.‡ And their friends were particularly dissatisfied with what they considered this needless and cruel exposure of their lives. The murmurs thus excited provoked General Jackson into a new measure of severity, in an order banishing all the French inhabitants to a distance of 120 miles, noticed in a preceding page. The class of people on whom this heavy sentence fell, comprised a large portion of the combatants in the battles of the 23d of December and 8th of January. The gallantry with which they had behaved, had been emphatically declared by the General himself.§ If there was still danger of a renewed invasion—two weeks after the official news of the signing of peace—New Orleans was by this order to be deprived of an efficient portion of its defenders—if no further occasion for their services were apprehended, the prolonged detention of their compatriots in the pestilential fields was without excuse, and a just cause of murmur.

These facts have been adduced to show that the disaffection among the citizens of New Orleans, and the mutinous disposition as he would term them, and which furnished his justification for

* Eaton's Life, p. 102

† Ibid, p. 119:

‡ Owners of the soil, men who had families anxiously concerned for their safety, and whose happiness depended on their return. Eaton p. 272.

§ In his address to the Mayor of New Orleans, January 27, 1815.

proclaiming martial law, and the abuses he practiced in the administration of it, originated from his despotic and unreasonable measures. And that whatever of an unfriendly disposition might be discoverable against him, in the cause in which he was engaged, among the members of the legislature, was attributable entirely to his usurpation, and unprecedented, and wanton interference with their civil rights by violence.

On the 2d of February, 1815, they passed a vote of thanks to the brave citizen soldiers, the subaltern officers, and the Generals ; omitting all notice of General Jackson. Latour, 205. These resolutions were communicated by the Governor to Generals Thomas, Adair, Carroll and Col. Hinds, of the Kentucky, Tennessee, and Mississippi militia.

The legislature did not act without provocation in this mark of disrespect. The insult they received in being violently expelled from their Hall, and the insinuations made against the patriotism of their citizens, in the General Orders declaring martial law—insinuations which no one else had uttered—which had been amply refuted by the good conduct of the whole population, and yet had not been withdrawn, seemed to them to require apology and explanation. They were displeased with the ill-timed introduction of the press gang system, when all were so willing to serve without being pressed. They thought such a severity calculated only to create the disaffection which they did not believe existed at the time of General Jackson's asserting it. They disapproved of the injustice of keeping their citizens of the drafted militia—the householders of New Orleans—still in a sickly camp, when the more hardy regulars were allowed to lounge idly in the streets and taverns of New Orleans. They disliked also the crowning and other excessive honors paid to and accepted by General Jackson, to the exclusion of all others, as if he alone deserved praise, and the gallant Coffee, Adair, Carroll, &c. merited no compliment. They wished to show especially their sense of the merits of those officers and their troops, to whom there had been yet no honors or acknowledgments awarded."

It appears then that the disaffection of the legislature of Louisiana was pointed against the character and conduct of General Jackson, and not against the war.

But aside from his administration of martial law at New Orleans, there are many other acts of his public life, which evince equally his contempt of the laws as well as his want of either talents or knowledge as a civilians, or statesman.

"The history of his conduct in the forcible seizure of Florida, a neutral country, will show there was not the shadow of necessity for this violent attack upon a friendly power. But there are some facts connected with this transaction, and the capture of Pensacola, which may explain the motives of his conduct. It was in evidence, before the Committee of the Senate, that in the fall of 1817, several gentlemen of Nashville, (among whom were

John Donnelson, the nephew of the General, and John H. Eaton, his biographer,) formed a company, to speculate in lots and lands in Pensacola. Mr. Donnelson, as their agent, went on, with authority to make purchases to an amount not exceeding \$16,000, and succeeded to his wishes. Mr. Eaton, in his testimony, says, that his inducements to make this adventure, was, that he believed the country would ultimately belong to the United States."

It is a singular coincidence, considering the intimate relation between the parties, that the speculation is hardly secured by deed, until General Jackson advances with an American army—invades the country—seizes the forts—occupies Pensacola—and then endeavors by influence and arguments, to induce his government so retain the conquest, at the expense of justice, right, and tranquillity. The people will judge how far the General was concerned in this adventure.

We will now examine some of the acts of Gen. Jackson as a civil magistrate, and we shall see that the same overbearing violence of temper, the same self-willed, despotic exercise of power, have been manifested in his public conduct. Upon the cession of Florida to the United States, Gen. Jackson was appointed governor of that territory. His own view of the arbitrary authority vested in him, appears from his letter to Captain Bell, dated August 13, 1821. In which he says, "I despatched an express on to you with sundry ordinances, which I found it necessary to adopt for the better organization of the Floridas." The constitution of Spain, providing for the trial by jury in criminal cases, although never extended to the colonies, because the treaty ceding the Floridas was concluded before the constitution was adopted, &c. in Spain." Here is a most extraordinary declaration from the republican Governor of a ceded territory, which it was intended might hereafter become a member of our Union. The trial by jury, the freeman's dearest right, is not to be allowed, because the country was ceded, before Spaniards had obtained that privilege under the new constitution; and the rights of the people were to be determined and regulated by the "ordinances" of the Governor—that is by the simple declaration of his will. Thus the condition of Florida was to be improved by substituting his will for the right of trial by jury, and we shall find the Governor acted under this impression. In a former letter to Captain Bell, he had said, "the Spanish laws and usages are in force:" his ordinances were to declare what the Spanish laws were, and afterwards in the letter last referred to, he adds, "The Judge (appointed by the President,) can exercise no other power, (except so far as relates to carrying into effect the acts extended over the Floridas,) unless specially given him by the President. Such instructions have not been given, and I doubt very much, whether the President could give them. There is no doubt that the person exercising the power of the Governor of East Florida, can exercise all the powers exercised under the King of Spain, at the time the country was ceded." This power we know was arbi-

rary and despotic. Spain had not reformed her constitution at the time, and hence as the General argues, the people of Florida could not have the benefit of the trial by jury in criminal cases. This assumption of regal prerogative is left to the consideration of those who admire the republican principles of Gen. Jackson.

Let us proceed to his practical illustration of his powers. By the treaty of cession, all the archives and documents relating to the "property and sovereignty of the country," were to be given up. The General undertook to interpret this, as including papers relative to private property: and a complaint having been made that some such were in the possession of the late Spanish Governor Callava, an order was issued that he should deliver them forthwith. They were refused, and instead of sending a civil officer with process, General Jackson issued to Colonel Brooke the following military requisition: "You will furnish an officer, sergeant, corporal, and twenty men, and direct the officer to call on me by half past eight o'clock for orders. They will have their arms and accoutrements complete, with twelve rounds of ammunition." This was accordingly done, and Lieutenant Mountz, officer of the guard, "was directed to take Colonel Callava into custody, &c." They found him at his house on the bed, and he complained of being too ill to go with them; but as Messrs. Butler and Bronaugh reported to his excellency, "he seemed to act without much difficulty when the guard was ordered to prime and load,"—the defenceless dignitary was thus dragged by military force before Governor Jackson, and finally committed to prison: in the mean time his house was entered by order; boxes were broken open, and papers taken out. But we have not given you the whole case. Judge Fromentin, who had been commissioned by the President, judicial officer of the territory, was applied to by the friends of Colonel Callava, for a habeas corpus. Supposing that the country ceded to the United States, should share in some degree, the benignity of a free government, he allowed the writ. General Jackson when informed of it directed Captain Wager to inform Mr. Fromentin that the prisoners would be kept confined until released by his orders; and at the same time issued his precept to bring the Judge before him, to answer for having attempted to interfere with his authority,—overwhelmed by arbitrary power,—brow beaten and insulted, the Judge was compelled to yield his official dignity and his personal independence.

This was for having dared as the General says, to issue a habeas corpus. But to cap the climax of tyranny, the Spanish officers, (resident at Pensacola for many years, and owning large property,) were ordered by proclamation, dated 29th of September, to leave the country in four days. Their offence was the publication, in a newspaper, of a paragraph, questioning the accuracy of the interpreters who had assisted at the examination of Colonel Callava; and two of these gentlemen ventured to return in some short time to look after their affairs, and in pursuance of the Governor's order, were arrested and confined in prison. Fortunately for them (as no habeas corpus could bring relief,) Gen.

Jackson resigned, and the case having been communicated to the President, he at once directed their discharge, after a confinement of more than three months and a half. By this sketch of his administration in Florida, as a civil magistrate, his advocates cannot urge in his defence that he was impelled by necessity, or the exigencies of public danger, but by the same ungovernable disposition to make his own despotic will the rule of his actions, which has directed his conduct in every situation wherein he has been entrusted with power.

It will be seen in the above statement, that his egregious blunder in the construction of the treaty of cession, by interpreting the archives and documents relating to the property or sovereignty of the country, as intending papers relative to private property, led him to those outrageous violations of the rights of Colonel Callava, Judge Frementin, and the Spanish officers.

His invasion of Florida was without authority, and in violation of the constitution, and the orders of the President. In the year 1818, some acts of violence were committed on the borders of Georgia by the Seminole Indians. General Jackson was ordered to make a requisition on the Governor of Tennessee for a militia force in aid of the Georgia militia already called out, for the purpose of restoring order. He disobeyed the orders, preferring to raise volunteers to whom he could appoint officers, and collected a force of 2500 men without authority, whom he organized by appointing officers, and then led them into Florida to capture the Spanish posts.

The merits of this expedition into Florida became the subject of warm discussion in Congress; and in each house a report was made by a committee, censuring the General's proceedings. In the House of Representatives, the committee founded their censure on the unnecessary putting to death of the prisoners after the war was closed—the irregularity of their trial—the unfairness of refusing them benefit of the evidence they desired—the erroneous principles of national law advanced—and the execution of one against the opinion of the court.

In the Senate, the committee reported very much in detail, and in very strong terms of censure. "It is with regret the committee said, they were compelled to declare, that General Jackson has disregarded the positive orders of the department of war, the constitution, and the laws." "The committee find the melancholy fact before them, that at this early stage of the republic, military officers have, without the shadow of authority, raised an army of at least 2500 men, and mustered them into the service of the United States. Two hundred and thirty officers have been appointed, and their rank established, from an Indian brigadier-general, to the lowest subaltern of a company. To whom were these officers accountable for their conduct? Not to the President of the United States. For it was not considered necessary even to furnish him with a list of their names; and not until the pay was demanded, were the persons known to the department of war."

The session of Congress to which this committee reported, passed by without any decisive vote on the subject.

The unfortunate dilemma in which the government was placed, by General Jackson's illegal and disgraceful conduct, has been noticed in a preceding page.*

A detail of all the public acts of his life which would only add to the proofs already adduced, of his tyrannical and dangerous disposition, or his profound ignorance of the construction and legal interpretation of the laws, might swell this short address to a large volume.

It cannot be possible that a man whose whole course of public conduct has been marked by violence, usurpation, and tyranny, will by the enlightened and virtuous freemen of the United States, be chosen, to preside over the destinies of the only free republic on the globe.

* See page 15.





